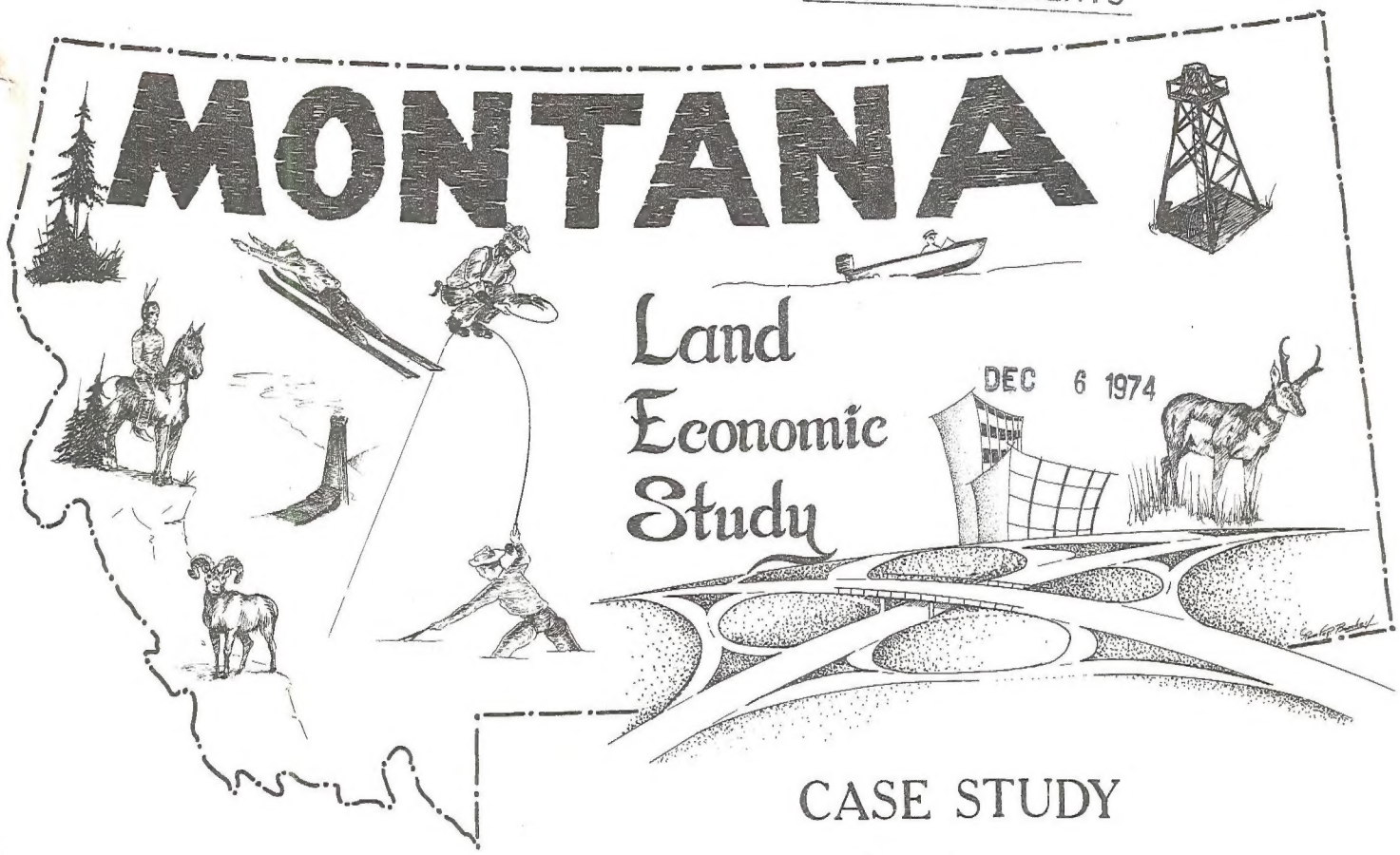
STATE DOCUMENTS



DEC 6 1974

CASE STUDY

No. 1

SINGLE FAMILY RESIDENCE

RESTRICTED ACCESS

INTERSTATE ROUTE 15

BUTTE, MONTANA

MONTANA STATE LIBRARY
930 East Lyndale Avenue
Helena, Montana 59601

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

LEGAL DESCRIPTION

Lots 4, 5, 6 & 7, Block 15, Home Addition to Butte, Montana.

LOCATION & ZONING

Property address is 3018 Evans Avenue, Butte, Montana. It is located in the southerly portion of Butte in a neighborhood devoted to single family residential usage. The property is not zoned.

NARRATIVE DESCRIPTION OF PROPERTY BEFORE TAKING

The subject property is a 12,000 square foot site with 120 feet of frontage on Evans Avenue, a paved city street. It has a depth of 100 feet to an alley abutting the rear property line.

Building improvements consist of a three bedroom single family residence of wood frame construction containing 1,247 square feet and a separate, one car garage containing 300 square feet located at the rear of the property, but facing Evans Avenue.

Site improvements consist of the lawn, concrete walks, a chain link fence along property lines, and a variety of trees and shrubs.

Access to the property is by means of Evans Avenue.

NARRATIVE DESCRIPTION OF PORTION ACQUIRED FOR RIGHT OF WAY

On January 18, 1960, the State acquired 1,475 square feet from the front of this property for construction of Interstate Route 15, a four lane controlled access highway. The acquisition included access rights and a chain link access control fence was to be constructed on the right of way line across the entire front of the property.

Improvements included in the taking were limited to site improvements consisting of 1,463 square feet of lawn and 133 lineal feet of chain link fence.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER THE TAKING

The remaining property is a 10,525 square foot site. Topography of the site itself is nearly level, but it is situated approximately 13 feet above the grade of the Interstate Highway. There is no direct street or highway access. The property is accessible only by means of the 16 foot wide alley at the rear. The alley is open at the easterly end of the block, but deadends against a roadway fill at the westerly end of the block.

Building improvements are essentially the same as described previously, but now face the controlled access facility. The garage is inaccessible to vehicles.

Site improvements are essentially the same as before the taking except that the chain link fence constructed along the right of way line is about twice as high as the fence in front of the property before the taking.

SALE OF THE REMAINDER

Subsequent to the State's acquisition the owner rented the property for $90 per month until February, 1961, when he sold the entire remainder for $7,500.

Investigation discloses that although the highway was not completed at the time of the sale, the property was sold within a very short time after it was offered on the market.

No improvements were made on the property prior to the sale.

The new owner indicated that he had no objection to the location of the property with respect to the controlled access highway.

He is now in the process of moving the garage to another location on the site which will allow access to the garage and provide parking space at the rear of the property.

SUMMARY OF APPROVED APPRAISAL

BEFORE VALUE:

Land - 12,000 Sq. Ft. @ $ 0.20	$ 2,400	
Improvements - Dwelling	10,850	
Garage	1,200	
Site Improvements	1,550	
TOTAL BEFORE VALUE		$ 16,000

AFTER VALUE

Land - 10,525 Sq. Ft. @ $ 0.03	$ 320	
Improvements - Dwelling	1,630	
Garage	180	
Site Improvements	170	
TOTAL AFTER VALUE		$ 2,300
TOTAL COMPENSATION		$ 13,700

VALUE OF PART TAKEN:

Land - 1,475 Sq. Ft. @ $ 0.20	$ 295	
Improvements - Site Improvements	405	
TOTAL		$ 700
REDUCTION IN VALUE OF PART NOT TAKEN		$ 13,000

Value of Property Before Taking	$16,000
Value of Part Taken	700
BEFORE VALUE OF PART NOT TAKEN	$15,300

Due to the relatively short period of time between the State's acquisition and the sale of the remainder, no attempt has been made to adjust the values indicated by the appraisal.

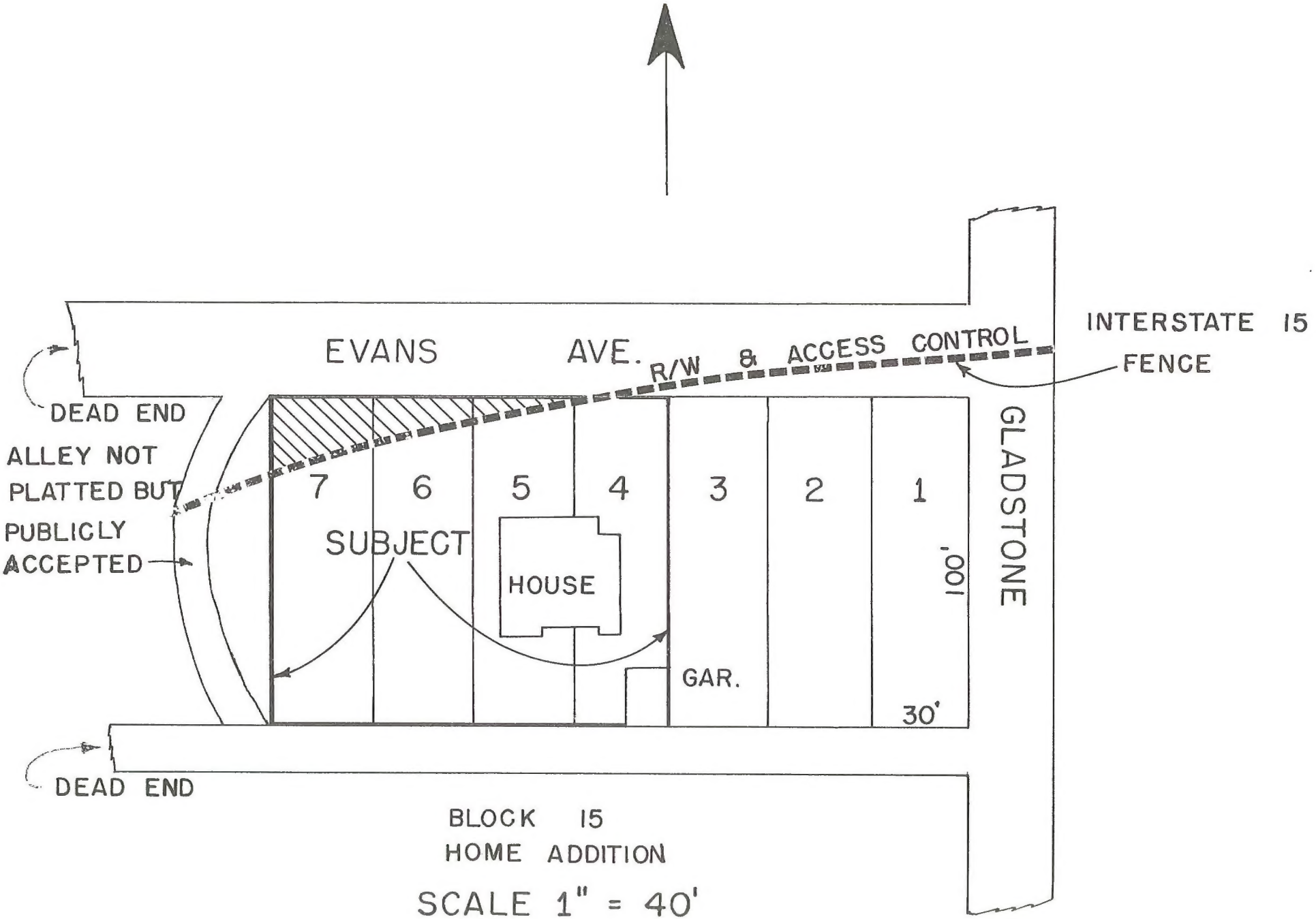
CHANGE IN VALUE OF PART NOT TAKEN

	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Not Taken	$ 15,300	$ 15,300
After Value of Part Not Taken	2,300	7,500
Change in Value of Part Not Taken	- $ 13,000	- $ 7,800
Percent Change in Value	$13,000 / $ 15,000 -85%	$ 7,800 / $ 15,300 -50%

REMARKS

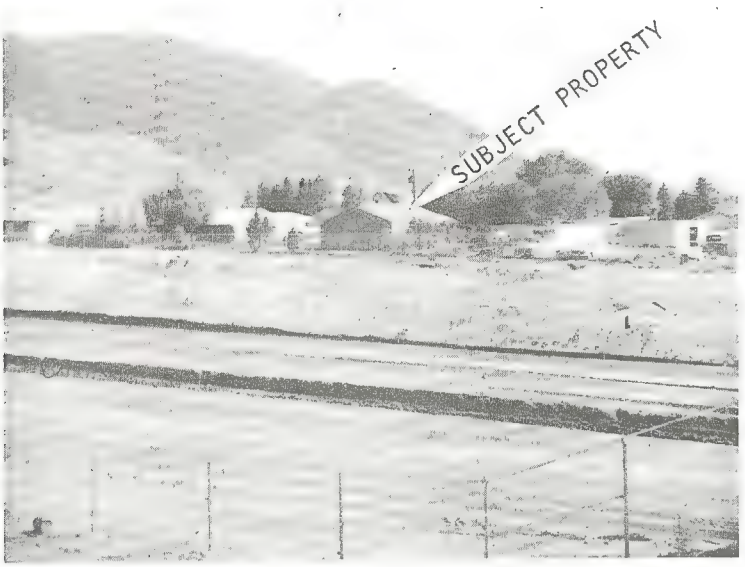
It is impossible to draw any far-reaching conclusions from this single case study, particularly in view of the fact that it is the first study of this type to be conducted by the State of Montana.

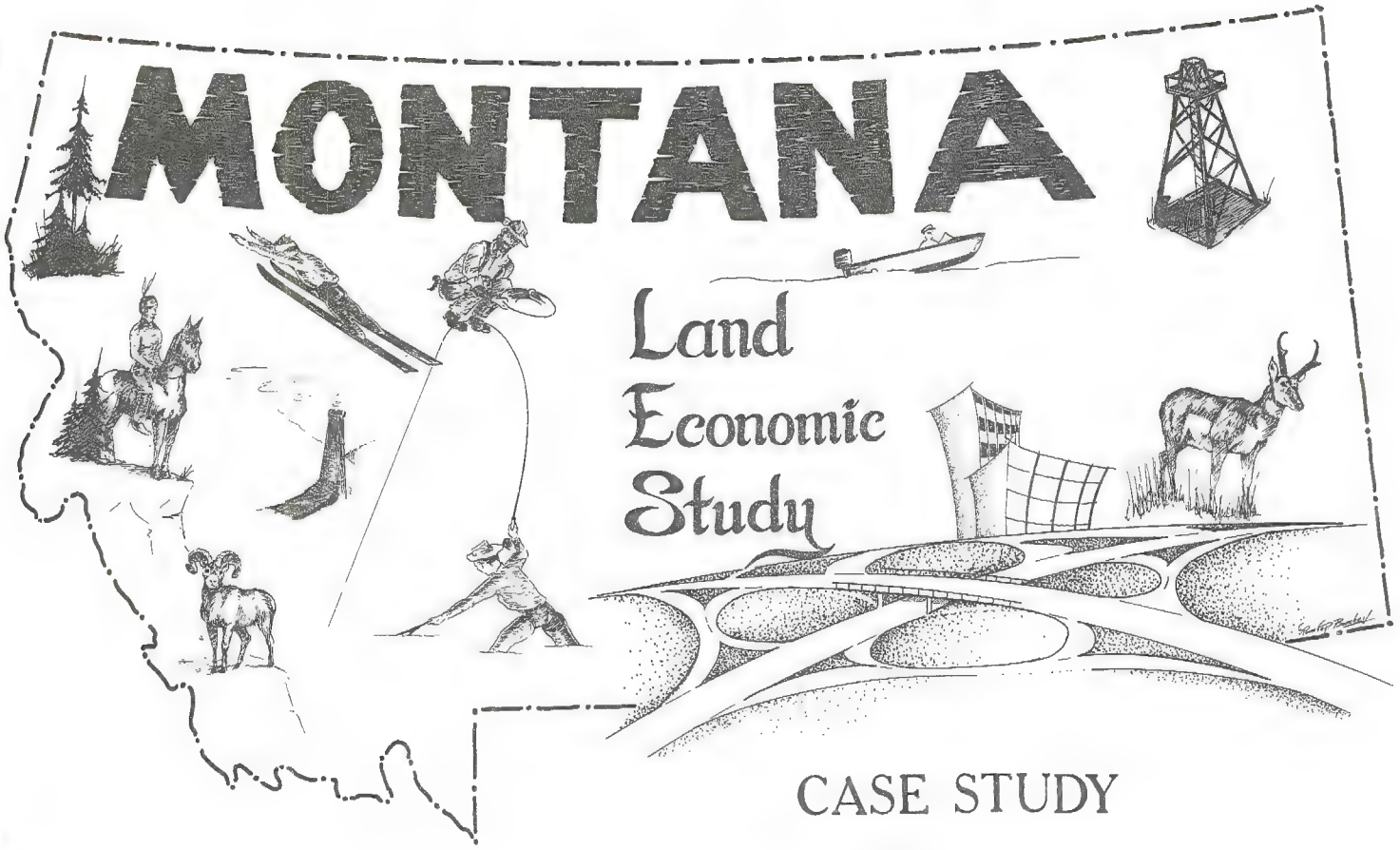
However, the study does display an indication that there is, in fact, a substantial reduction in the value of a single family residential property from which there was a relatively small taking, but which, as a result of the taking, was left with certain functional problems. It is evident, however, that the serious functional deficiency did not create the degree of loss in value anticipated by the appraisal.


EVANS AVE.
R/W & ACCESS CONTROL
INTERSTATE 15
FENCE
DEAD END
ALLEY NOT
PLATTED BUT
PUBLICLY
ACCEPTED
7
6
5
4
3
2
1
SUBJECT
HOUSE
GAR.
100'
30'
GLADSTONE
DEAD END
BLOCK 15
HOME ADDITION
SCALE 1" = 40'
STATES ACQUISITION

BEFORE

AFTER





CASE STUDY

NO. 2

SINGLE FAMILY RESIDENCE

LANDLOCKED PROPERTY

INTERSTATE ROUTE 15

BUTTE, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

LEGAL DESCRIPTION

Tract in NE¼NW¼ Sec. 30, Township 3N, Range 7W, M.P.M., Silver Bow County, Montana, particularly described by metes and bounds in a deed recorded on Page 215 of Book 217 of Deeds, official records of Silver Bow County.

LOCATION AND ZONING

Property address is 2623 Oregon Avenue, Butte, Montana. It is located in the southerly part of Butte on the westerly side of Oregon Avenue, between Yale Avenue and Evans Avenue.

The subject property is not zoned. The surrounding neighborhood is devoted to residential usage but with some undeveloped acreage present.

NARRATIVE DESCRIPTION OF THE PROPERTY BEFORE THE TAKING

Before the taking, the subject property was an irregular shaped tract containing 44,925 square feet with 173 feet of frontage on Oregon Avenue, a paved city street. It had a depth of approximately 350 feet and was abutted on its north, south and west sides by four private ownerships.

The southeasterly part of the site, upon which the buildings are located, was level and on grade with Oregon Avenue which provided good access to the property. The areas northerly and westerly of the buildings are at lower elevation and part lies in a boggy creek drainage.

Building improvements consist of a one and one-half story, four bedroom, frame dwelling with a ground floor area of 1140 square feet, and a separate double garage of frame construction containing 753 square feet.

Site or land improvements consist of the lawn, boundary fence and a variety of shrubs.

NARRATIVE DESCRIPTION OF PORTION ACQUIRED FOR RIGHT OF WAY

On January 18, 1960, the State acquired 6,410 square feet of land and part of the site improvements from the front of this property for the purpose of constructing an approach to a grade separation on Oregon Avenue over Interstate Route 15 which is located approximately 300 feet north of the property.

Although access rights were not acquired by the State, construction of an 11 to 13 foot high roadway fill leaves the property inaccessible by vehicle from any public street.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER THE TAKING

The remainder is a 38,515 square foot tract with the same building improvements described previously. Site improvements have been diminished by the taking of the front lawn, fence and shrubbery.

As a result of the taking and construction, the property is 11 to 13 feet below the grade of Oregon Avenue, with the front porch of the dwelling abutting the right of way line. The bottom of the fill slope is within three feet of the dwelling.

The high fill with steep slopes prevents vehicle access to the remainder.

SALE OF THE REMAINDER

In February, 1960, approximately one month after the State's acquisition and before highway construction was started, an agreement was made with the abutting owner to the north for the sale of the subject property for $5,500. Of this amount, $1,000 was for personal property, leaving $4,500 for real estate.

The deed, dated June 20, 1960, was filed for record on July 26, 1960, on Page 213, Book 279 of Deeds, official records of Silver Bow County.

The buyer moved into the dwelling and made arrangements to construct an access road northerly from the subject improvements to Yale Avenue as shown on the sketch.

The tract which the buyer already owned was improved with a small rental dwelling located at some distance from Oregon Avenue and not affected by the State's acquisition. However, he indicated that he had planned to build a house for his own occupancy on the northeasterly part of this tract which was then acquired by the State.

SUMMARY OF APPROVED APPRAISAL

BEFORE VALUE:

Land - 44,925 Sq. Ft. @ $ 0.06	$ 2,700	
Improvements - Dwelling	10,650	
Garage	1,575	
Site Improvements	1,725	
TOTAL BEFORE VALUE		$16,650

AFTER VALUE:

Land - 38,515 Sq.Ft. @ $ 0.003	$ 115	
Improvements - Dwelling	535	
Garage	80	
Site Improvements	50	
TOTAL AFTER VALUE		$ 780
TOTAL COMPENSATION		$15,870

	TOTAL COMPENSATION	$15,870

VALUE OF PART TAKEN:

Land - 6,410 Sq. Ft. @ $ 0.06	$ 385	
Improvements - Site Improvements	670	
	TOTAL	$ 1,055
	REDUCTION IN VALUE OF PART NOT TAKEN	$14,815

Value of Property Before Taking	$ 16,650
Value of Part Taken	1,055
BEFORE VALUE OF PART NOT TAKEN	$ 15,595

Due to the extremely short time between the State's acquisition and the sale of the remainder, it is not necessary to adjust the appraisal for changing market conditions.

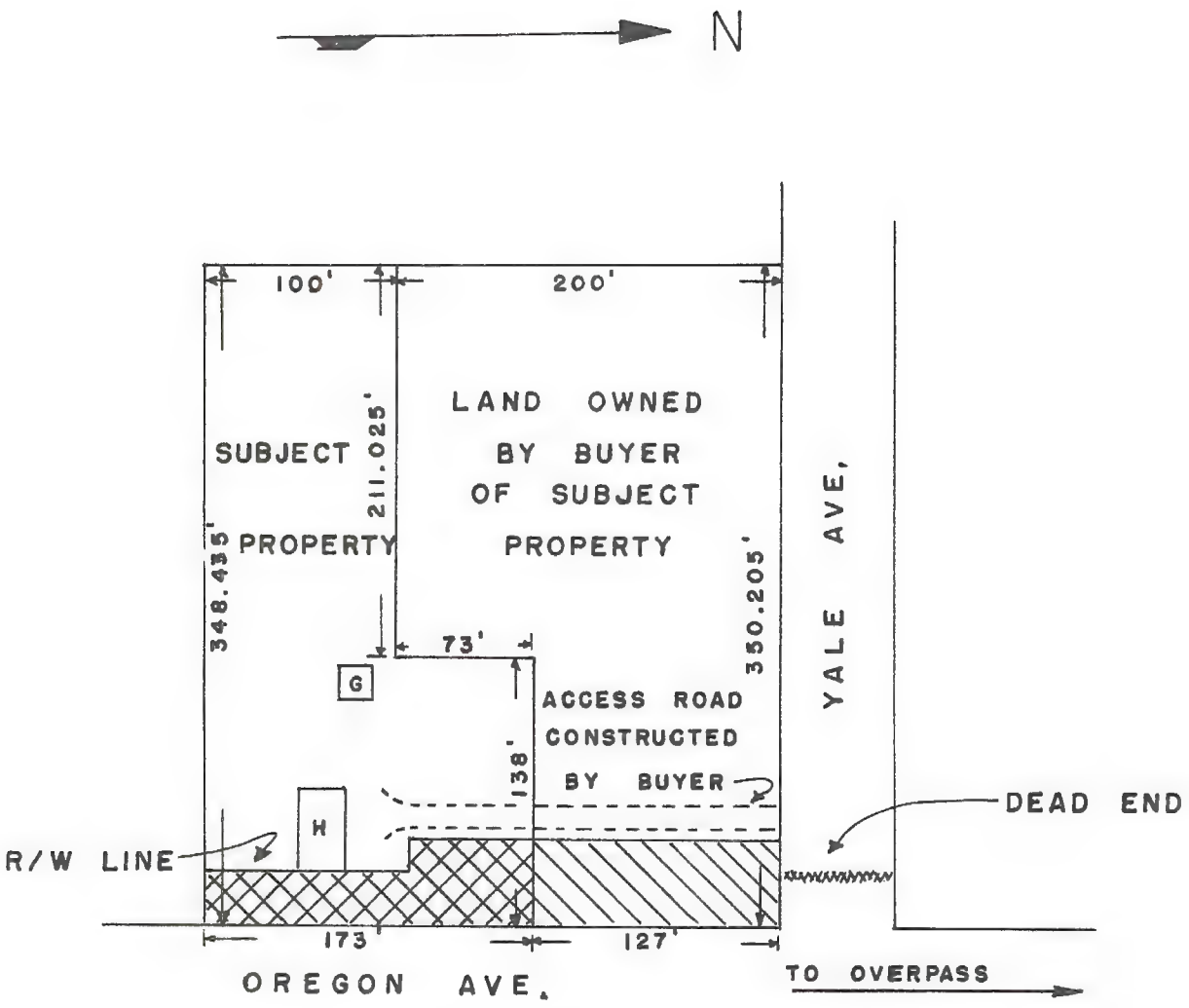
CHANGE IN VALUE OF PART NOT TAKEN

	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Not Taken	$15,595	$15,595
After Value of Part Not Taken	780	4,500
Change in Value of Part Not Taken	- $14,815	- $11,095
Percent Change in Value	$14,815 / $15,595 -95%	$11,095 / $15,595 -70%

REMARKS

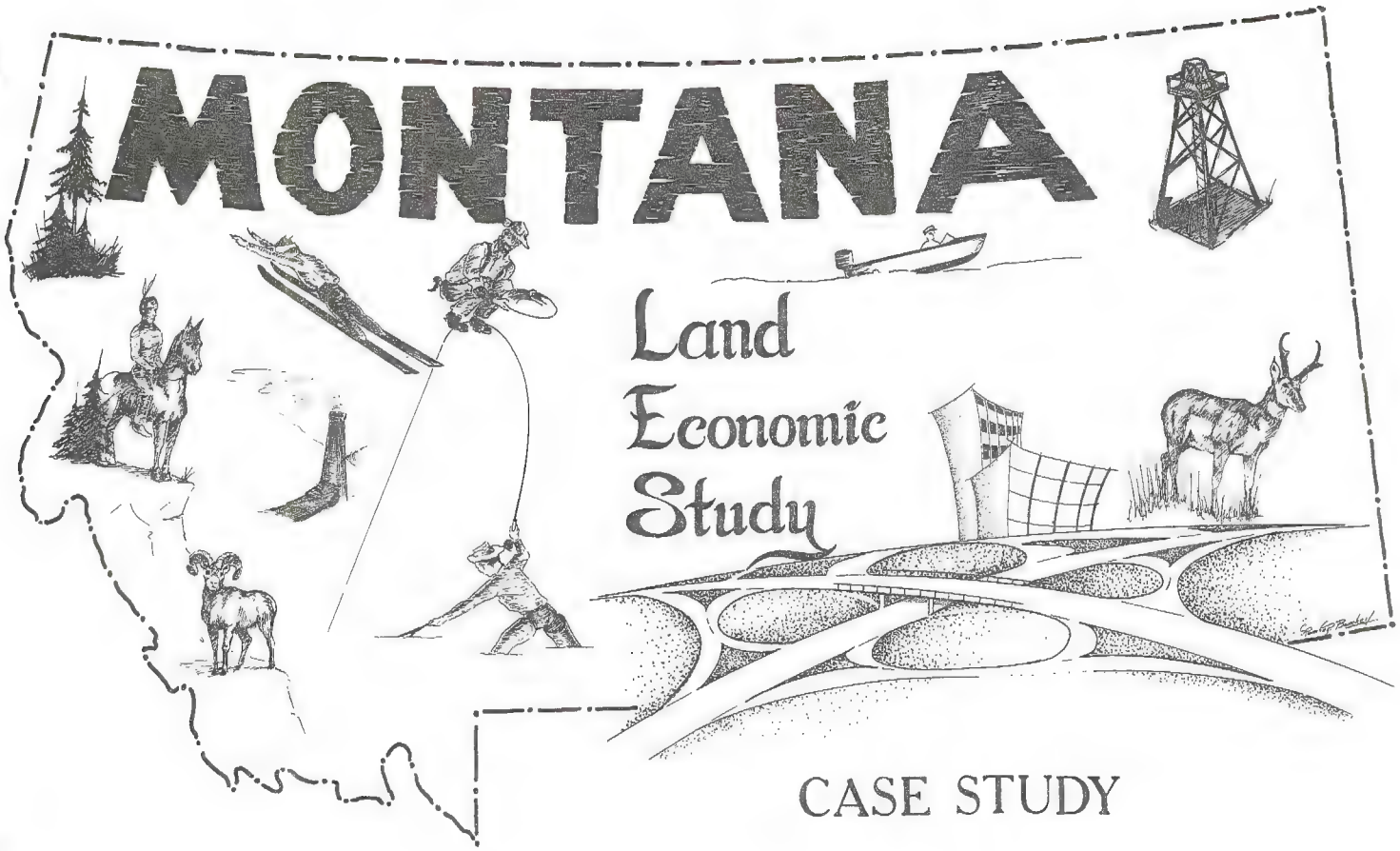
This study displays a substantial reduction in the value of a landlocked residential property even though it was abutted by three other ownerships that could provide access.

However, the short lapse of time between the State's acquisition and the subsequent sale may indicate that exposure to the market was not sufficient to result in the highest price that the property would bring.


N
100'
200'
LAND OWNED BY BUYER OF SUBJECT PROPERTY
SUBJECT PROPERTY
211.025'
348.435'
350.205'
73'
G
ACCESS ROAD CONSTRUCTED BY BUYER
138'
YALE AVE,
DEAD END
H
R/W LINE
173'
127'
OREGON AVE.
TO OVERPASS
— R/W ACQUIRED
— R/W ACQUIRED FROM SUBJECT PROPERTY
SCALE 1" = 100'

BEFORE

AFTER



CASE STUDY

NO. 6

FARM AND GRAZING LAND

RESTRICTED ACCESS

INTERSTATE ROUTE 15

NEAR CASCADE, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

LEGAL DESCRIPTION

Government lots 1, 3 & 4, Sec. 18; Lot 1, Sec. 19, T 18N, R 1E; SW¼ SE¼ Sec. 12; NE¼, N½ SE¼, SE¼ SE¼, Sec. 13, T 18N, R 1W, M.P.M., Cascade County, Montana.

LOCATION

This property is located approximately two mile northeast of Cascade, Montana with a population of 600, and approximately 22 miles southwest of Great Falls, Montana having a population of approximately 59,000.

The surrounding neighborhood is devoted to small grain and livestock production.

NARRATIVE DESCRIPTION OF THE PROPERTY BEFORE THE TAKING

The subject property was a 478 acre dry grain farm consisting of 125 acres of cultivated land and 353 acres of grazing land.

U.S. Highway No. 91 and a branch line of the Great Northern Railroad which abuts the highway on its southeasterly side, run diagonally in a northeasterly direction through the southerly part of the property, severing approximately twenty five acres of grazing land from the balance of the ownership.

Good access to the property was provided by U.S. Highway No. 91. There were no other roads aubtting the property.

NARRATIVE DESCRIPTION OF THE PORTION ACQUIRED FOR RIGHT OF WAY

In August, 1957, the State acquired 14.32 acres of cultivated land from the southerly part of this property for Interstate Route 15. Sufficient right of way was taken for a four lane highway but only the north-bound lanes were to be constructed under the current program.

The taking ran diagonally in a northeasterly direction approximately 400 to 700 feet northwesterly of the existing highway, leaving about 35 acres of cultivated land between the two roads.

Although access rights were acquired, the State constructed temporary at-grade approaches on each side of the new highway where it enters the southerly part of the property. The State has the right to terminate these approaches any time, but when they are closed, a frontage road is to be constructed on the northwesterly side of the highway to connect to an interchange at Cascade.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER THE TAKING

After the taking the property consisted of 463.68 acres comprised of 110.68 acres of cultivated land and 353 acres of grazing land. Thirty five acres of the cultivated land and 25 acres of the grazing land were separated from the balance of the property.

Temporary at-grade approaches on each side of the new highway provide direct access to the abutting remainders. The 25 acres of grazing land on the southeasterly side of the railroad is accessible by old Highway 91 which is now maintained as a county road between Cascade and the town of Ulm, about 12 miles northeast of the subject property.

At such time as the temporary approaches are terminated by the State, access to the northwesterly remainder will be by means of a frontage road to be constructed at that time, running southwesterly along the northwesterly side of the highway to an interchange at Cascade. Access to the southeasterly remainder will be by means of old Highway 91 from Cascade or Ulm.

SALE OF THE REMAINDER

In February, 1959, the entire remainder was sold for $ 18,500. The conveyance is recorded on Page 267 in Book 285 of Deeds of the official records of Cascade County in Great Falls, Montana.

SUMMARY OF APPROVED APPRAISAL

Note -- Comparison of sales of similar properties in the area occurring between 1957 and 1959 which were not under the influence of the new highway disclose an increase in value of approximately 10% between the time of the State's acquisition and the subsequent sale of the remainder. Therefore, the following tabulation represents the State's appraisal as adjusted to general market conditions prevailing at the time of the sale.

BEFORE VALUE:

Land -	125 Acres Cultivated @ $77	$ 9,625
	30 Acres Grazing @ $55	1,650
	323 Acres grazing @ $22	7,100
	TOTAL BEFORE VALUE	$ 18,375

AFTER VALUE:

Land -	75.68 Acres cultivated @ $66	$ 5,000
	35 Acres cultivated @ $38.50	1,350
	30 Acres Grazing @ $55	1,650
	323 Acres grazing @ $22	7,100
	TOTAL AFTER VALUE	$ 15,100
	TOTAL COMPENSATION	$ 3,275

VALUE OF PART TAKEN:

Land -	14.32 Acres cultivated @ $77	$ 1,100
	TOTAL	$ 1,100
	REDUCTION IN VALUE OF PART NOT TAKEN	$ 2,175

Value of Property Before Taking	$18,375
Value of Part Taken	1,100
BEFORE VALUE OF PART NOT TAKEN	$17,275

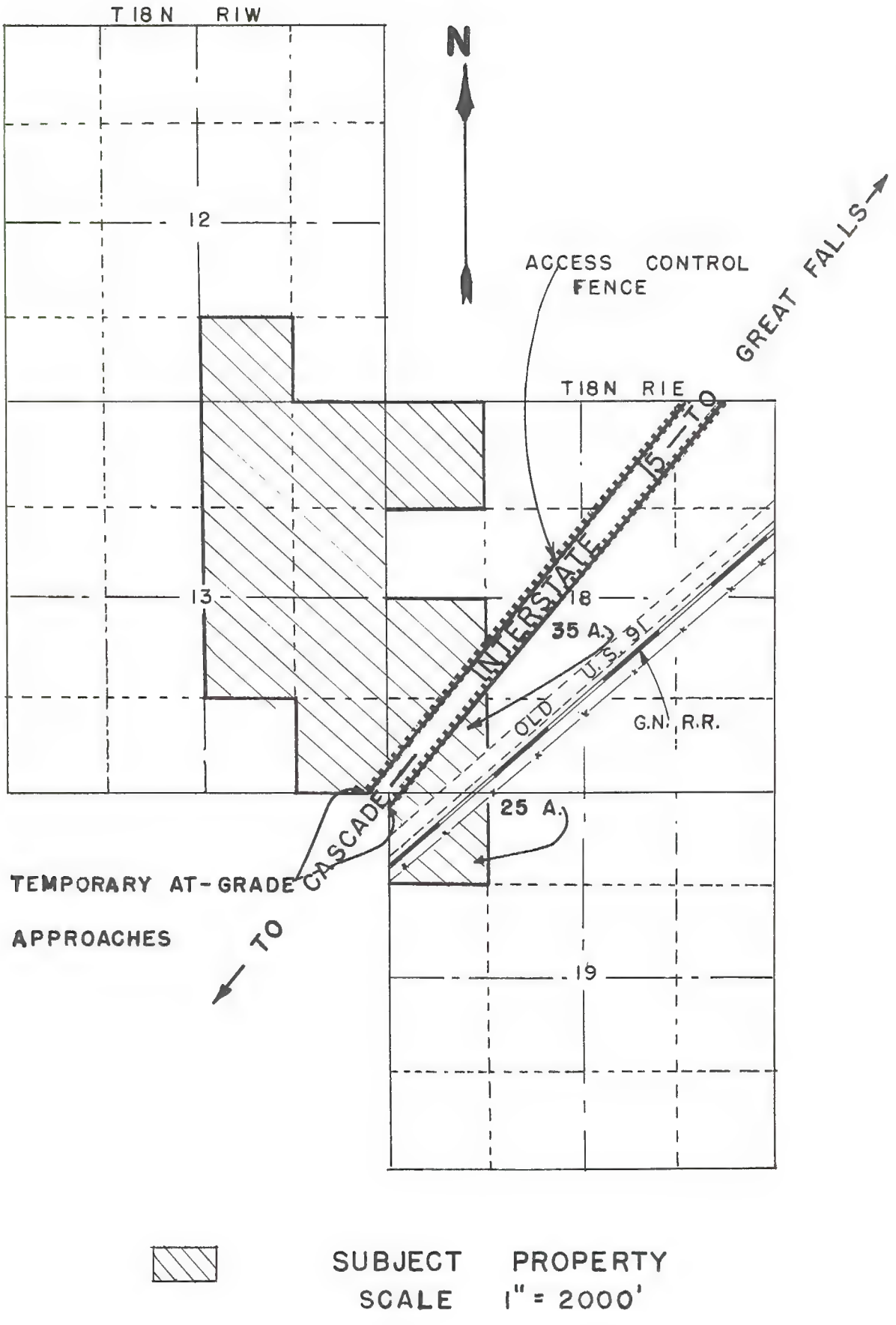
CHANGE IN VALUE OF PART NOT TAKEN

	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Not Taken	$17,300	$17,300
After Value of Part Not Taken	15,000	18,500
Change in Value of Part Not Taken	- $ 2,300	+ $ 1,200
Percent Change in Value	$ 2,300 / $17,300 -13%	$ 1,200 / $17,300 + 7%

REMARKS

There was no reduction in value of the remainder even though the taking further severed the property with only temporary at-grade approaches providing direct access between the severed portions.

The 7% gain in value indicated by the sale cannot be attributed to the influence of the new highway since there was no favorable change in the property or in its marketability. Rather it is considered most likely that the State's appraisal may have been slightly low. This would account for the apparent gain.



SUBJECT PROPERTY

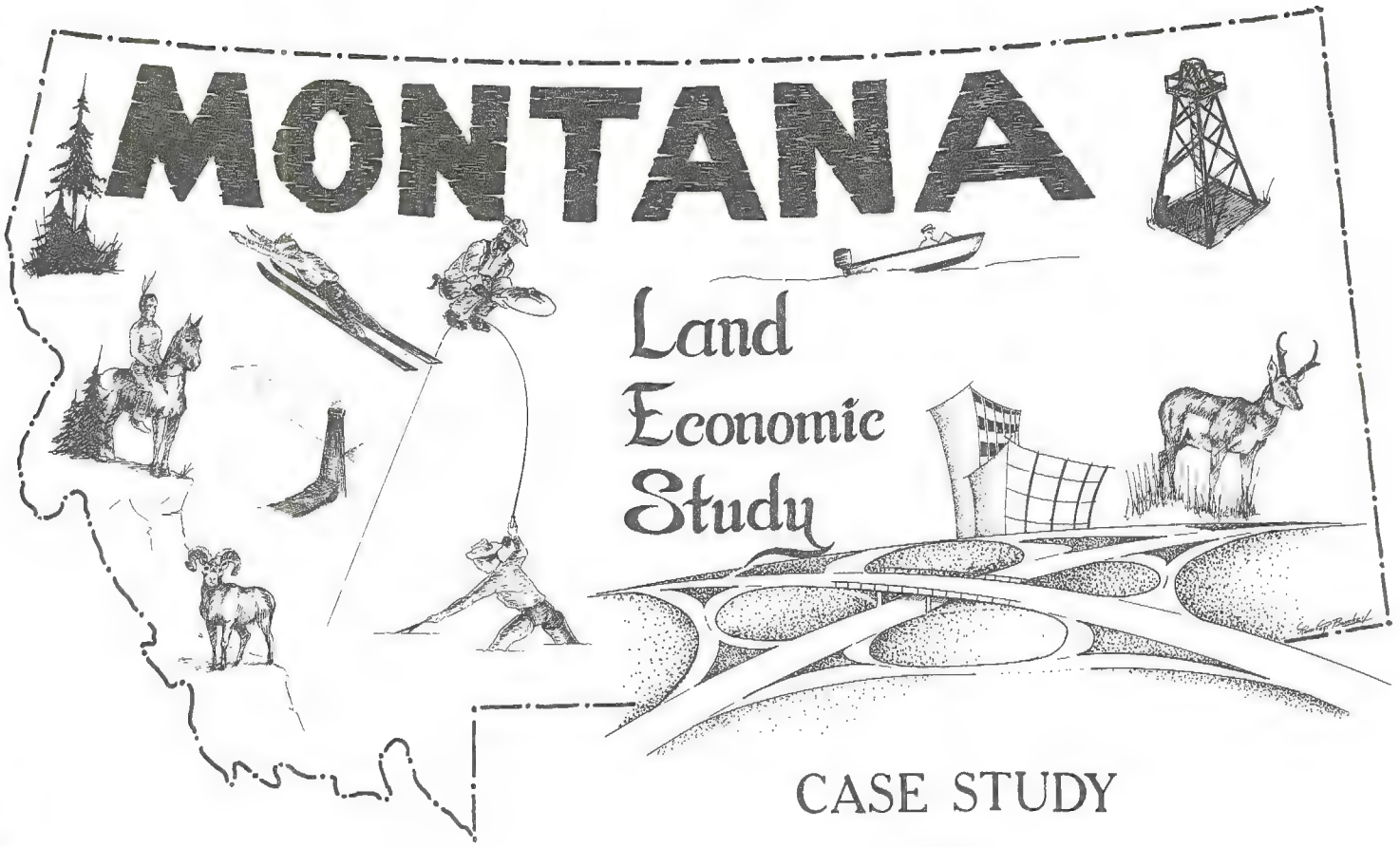
SCALE 1" = 2000'

BEFORE

NOT AVAILABLE

AFTER

Looking East from Interstate 15 at Southeasterly remainder



CASE STUDY

NO. 10

RESIDENTIAL PROPERTY

CHANGE IN USE

AT INTERCHANGE

INTERSTATE ROUTE 90

SUPERIOR, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

LEGAL DESCRIPTION

Lots 5, 6, 7 & 8, Block 6, Eidell's Addition to Superior, Montana.

LOCATION AND ZONING

This property is located on the west side of Cedar Street, 50 feet south of Fourth Avenue in the town of Superior, the County Seat of Mineral County in Western Montana.

The population of Superior was 1,242 in 1960.

The nearest urban center is Missoula which is about 60 miles east of Superior.

The subject property is not zoned.

NARRATIVE DESCRIPTION OF PROPERTY BEFORE TAKING

Before the taking this property was a 24,367 square foot site with 200 feet of frontage on Cedar Street and a depth of 142 feet. Cedar Street, a graveled city street, provided good access to the property. The site was level and on grade with Cedar St.

The property was improved with three low cost dwellings and several sheds. The dwellings were occupied but were in great need of repair and rehabilitation.

NARRATIVE DESCRIPTION OF PORTION ACQUIRED FOR RIGHT OF WAY

In July, 1959, the State acquired 20,262 square feet of land, two of the three residences and the sheds from the southerly part of this property for the construction of an interchange on Interstate Route 90.

The acquisition included all access right to the new highway.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER THE TAKING

After the State's acquisition this property consisted of a 4,105 square foot site improved with a small frame dwelling.

The remainder was in the shape of a narrow triangle with 50 feet of frontage on Cedar Street which deadends against the interstate access control fence at the south line of the property. The maximum depth of the site was still 142 feet.

The property is 100 feet north of the center line of the nearest traffic lanes of the new highway and is approximately 25 feet below the grade of the highway.

SALE OF THE REMAINDER

Subsequent to the State's acquisition the remaining dwelling was sold and removed from the property. No information is available concerning the sale of the dwelling.

In July, 1962, the remaining land was sold to the adjoining owner to the north for $2,350. The buyer's property had 142 feet of frontage on Fourth Avenue which has been improved and made a part of the off ramp system leading from the west-bound traffic lanes of the interstate highway into Superior.

The buyer is building a modern two-story motel on his enlarged site.

The sale of the subject property is on file in the records of Mineral County on Page 555, Book 13 of Deeds.

SUMMARY OF APPROVED APPRAISAL

BEFORE VALUE:

Land - 24,367 Sq. Ft. @ $ 0.25	$ 6,100	
Improvements - Dwelling No. 1	2,850	
Dwelling No. 2	2,900	
Dwelling No. 3	2,400	
Sheds	150	
TOTAL BEFORE VALUE		$ 14,400

AFTER VALUE:

Land - 4,105 Sq. Ft. @ $ 0.05	$ 200	
Improvements - Dwelling No. 3	2,400	
TOTAL AFTER VALUE		$ 2,600
TOTAL COMPENSATION		$ 11,800

VALUE OF PART TAKEN:

Land - 20,262 Sq. Ft. @ $ 0.25	$ 5,065	
Improvements - Dwelling No. 1	2,850	
Dwelling No. 2	2,900	
Sheds	150	
TOTAL OF PART TAKEN		$ 10,965
REDUCTION IN VALUE OF PART NOT TAKEN		$ 835

Value of Property Before Taking	$ 14,400
Value of Part Taken	10,965
BEFORE VALUE OF PART NOT TAKEN	$ 3,435
Less Value of Dwelling Removed Before Sale	2,400
ADJUSTED BEFORE VALUE OF PART NOT TAKEN	$ 1,035

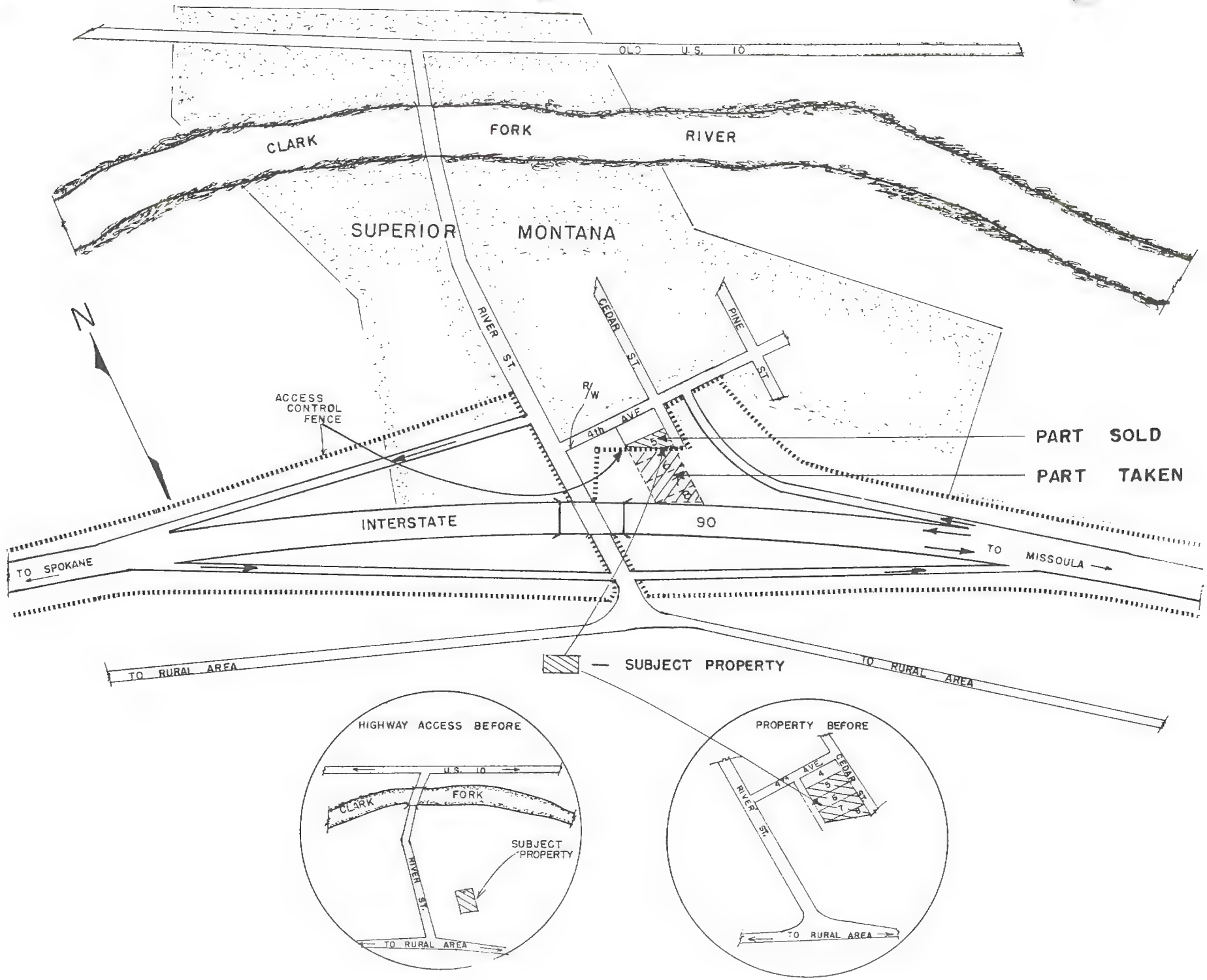
Note: Investigation discloses that the level of real estate activity in Superior was fairly static between the time of the State's acquisition and the subsequent sale of the remainder. Therefore, there is no need to adjust the values indicated by the appraisal to account for changed market conditions.

CHANGE IN VALUE OF PART NOT TAKEN

	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Not Taken (Adj.)	$ 1,035	$ 1,035
After Value of Part Not Taken	200	2,350
Change in Value of Part Not Taken	- $ 835	+ $ 1,315
Per Cent Change in Value	$ 835 / $ 1,035 - 80%	$ 1,315 / $ 1,035 +127%

REMARKS

Although the remainder had an undesirable size and shape, it more than doubled in value because of its proximity to an interchange and its ability to enhance an adjoining ownership whose use was changed due to the new highway.

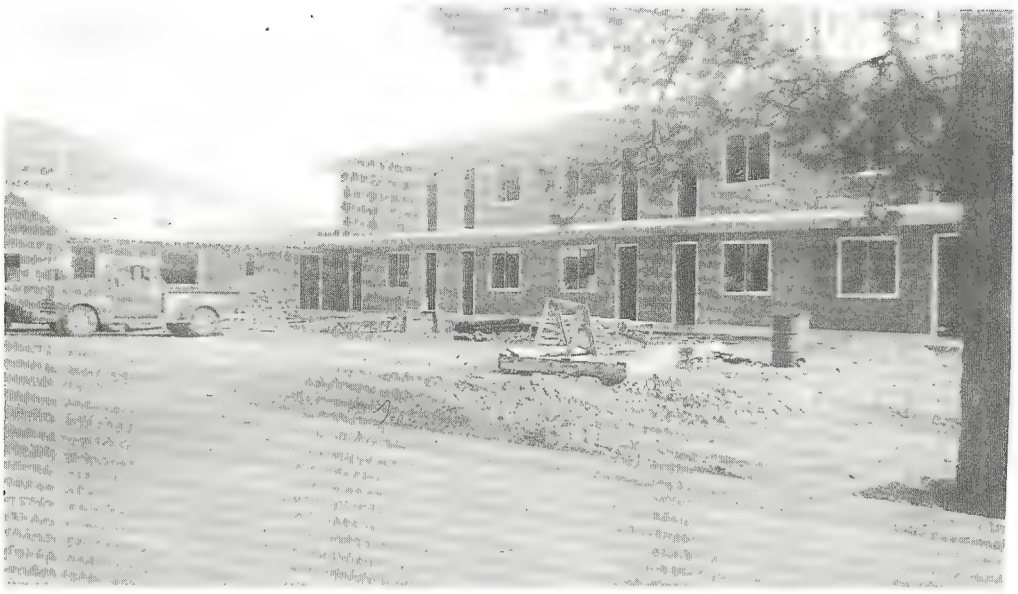

OLD U.S. 10
CLARK FORK RIVER
SUPERIOR MONTANA
N
RIVER ST.
CEDAR ST.
PINE ST.
R/W
4th AVE.
ACCESS CONTROL FENCE
PART SOLD
PART TAKEN
INTERSTATE 90
TO SPOKANE
TO MISSOULA
TO RURAL AREA
TO RURAL AREA
SUBJECT PROPERTY
HIGHWAY ACCESS BEFORE
U.S. 10
CLARK FORK
RIVER ST.
SUBJECT PROPERTY
TO RURAL AREA
PROPERTY BEFORE
4th AVE.
CEDAR ST.
RIVER ST.
TO RURAL AREA

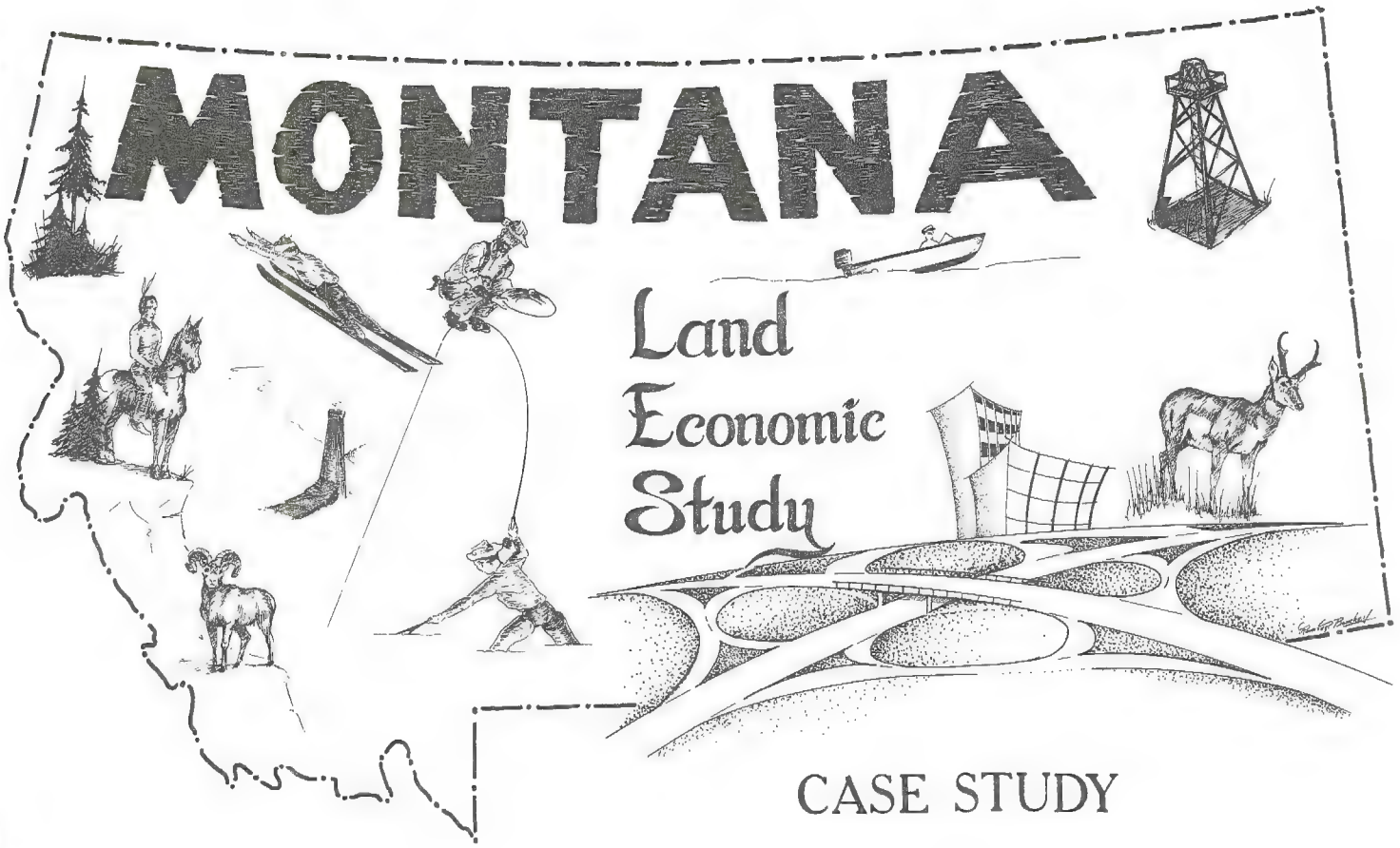
BEFORE TAKING

NOT AVAILABLE

AFTER TAKING

(Taken looking southeast)
(Note improvements now being built)





CASE STUDY

NO. 11

RURAL AND RESIDENTIAL

SEPARATED & LANDLOCKED REMAINDERS

INTERSTATE ROUTE 90

NEAR DEER LODGE, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

LEGAL DESCRIPTION

The part of the NE¼ NE¼ Section 9, T 7N, R 9W, M.P.M. Powell County, Montana, more particularly described by metes and bounds in the following instruments which are on file in the records of Powell County:

Patent from State of Montana recorded in Book 28, page 339. Warranty Deed recorded in Book 19 on page 446.

LOCATION & ZONING

This property is one half mile southeast of Deer Lodge, Montana. Deer Lodge which is the county seat of Powell County, has a population of approximately 4,700 and is located forty miles northwest of Butte, Montana.

The property is not zoned.

NARRATIVE DESCRIPTION OF THE PROPERTY BEFORE TAKING

Before the taking this was a ten acre tract of which seven acres were irrigated pasture with the remainder being suitable for irrigation by sprinkler.

Access to the property was by way of a graveled county road running southerly from Deer Lodge along the easterly line of the property

The improvements located adjacent to the road, consisted of a one and one half story, four bedroom frame dwelling, a garage and various outbuildings. The owner occupied the improvements but rented the land to a neighbor for grazing

NARRATIVE DESCRIPTION OF PORTION ACQUIRED FOR RIGHT OF WAY

In December, 1959, the State acquired 3.38 acres of land from this property for the construction of Interstate Route 90. The taking, which was a 280 foot wide strip running diagonally across the northwesterly portion of the property, separated 0.37 of an acre from the improvements and the larger portion of the remainder and left this small tract without legal access.

The new highway construction included a grade separation taking the Interstate Highway over the county road. This resulted in the new roadway being constructed on a fill varying from approximately 28 feet high at the north property line to approximately 12 feet high at the west property line.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER THE TAKING

After the taking the property contained 6.62 acres with 0.37 of an acre being landlocked northwesterly of the Interstate Highway. The remaining 6.25 acres, on which the improvements are located, is southeasterly of the Interstate Highway and is accessible in the same manner as before the taking.

The improvements, which face away from the new highway, are located approximately 250 to 300 feet southeasterly of the new right of way line and are substantially lower than the elevation of the new roadway.

SALE OF THE REMAINDER

In March, 1962, the entire remainder was sold for a confirmed price of $12,500. No alterations of improvements had been made on the property subsequent to the State's acquisition.

The Deed is recorded in the records of Powell County, on Page 21, in Book 53 of Deeds.

SUMMARY OF APPROVED APPRAISAL

BEFORE VALUE:

Land - 10 Acres	@ $ 800	$ 8,000	
Improvements - All		8,300	
		TOTAL BEFORE VALUE	$ 16,300

AFTER VALUE:

Land - 0.37 Acres	@ $ 80	$ 25	
1.25 Acres	@ 300	375	
5.00 Acres	@ 800	4,000	
Improvements - All		8,300	
		TOTAL AFTER VALUE	$ 12,700
		TOTAL COMPENSATION	$ 3,600

VALUE OF PART TAKEN:

Land - 3.38 Acres	@ $ 800	$ 2,700	
		TOTAL	$ 2,700
		REDUCTION IN VALUE OF PART NOT TAKEN	$ 900

Value of Property Before Taking	$ 16,300
Value of Part Taken	2,700
BEFORE VALUE OF PART NOT TAKEN	$ 13,600

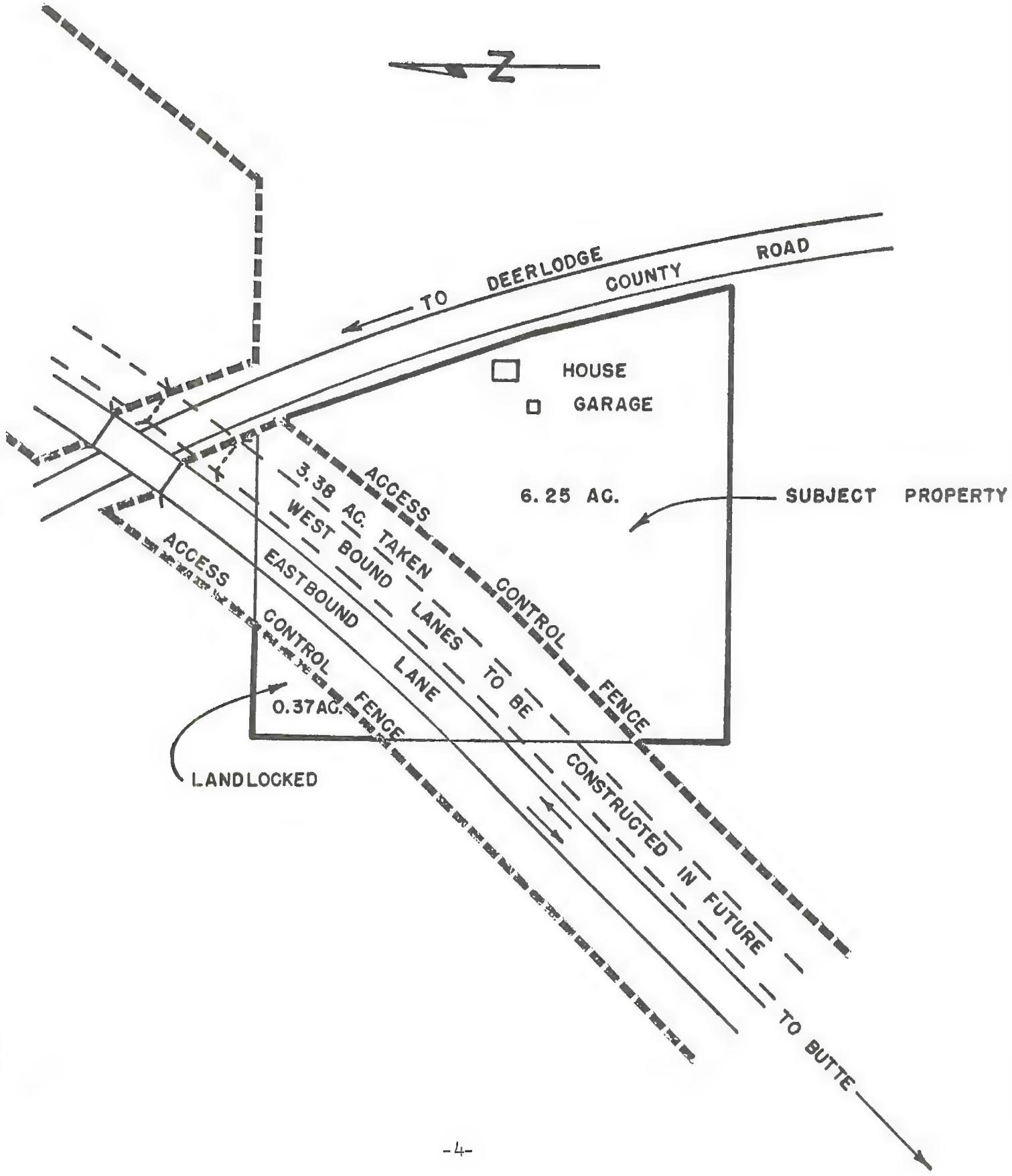
Investigation discloses that real estate values remained fairly static during the interval between the State's acquisition and the subsequent sale of the remainder. Therefore, it is not necessary to adjust the appraisal to reflect changed market conditions.

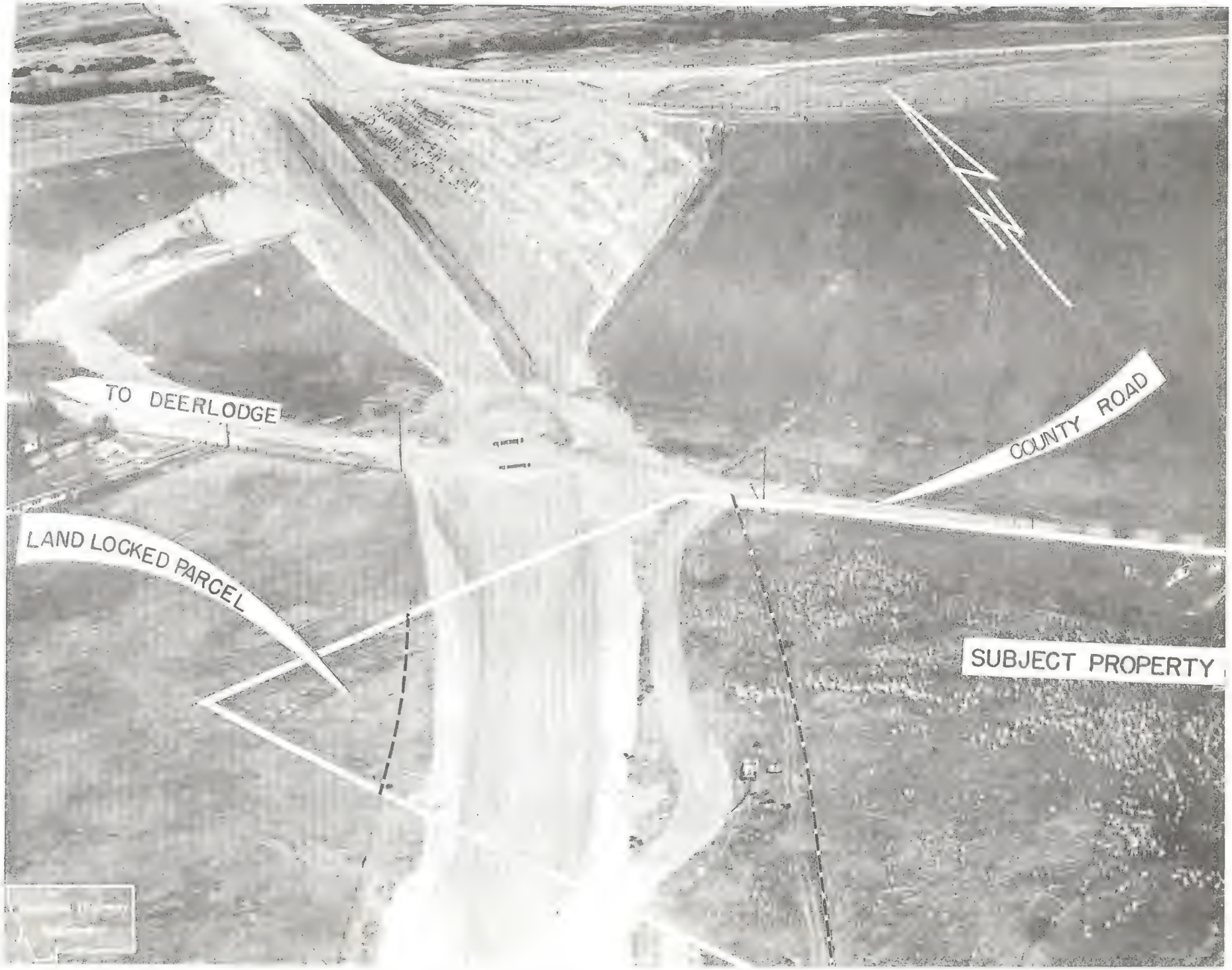
CHANGE IN VALUE OF PORTION NOT TAKEN

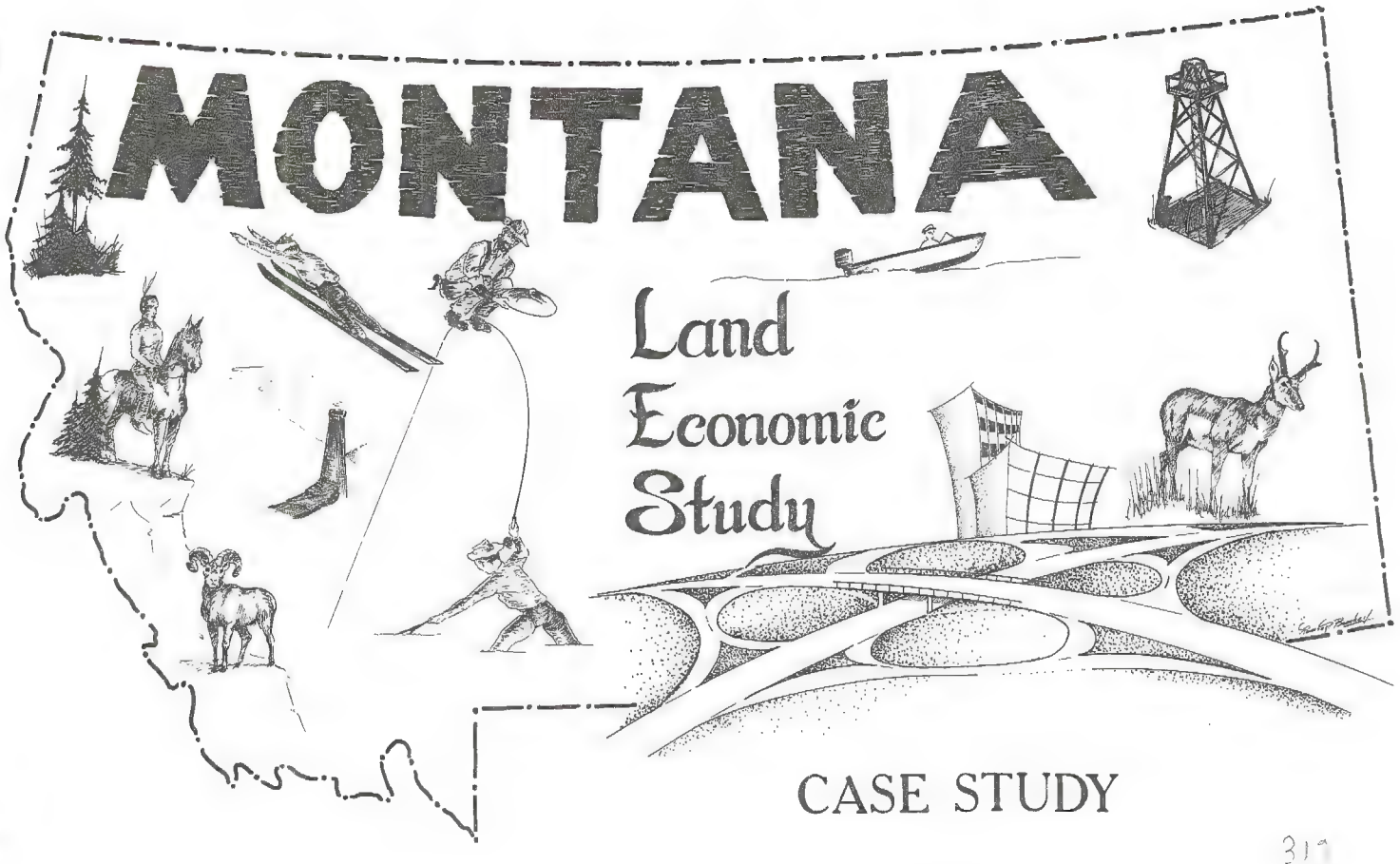
	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Not Taken	$ 13,600	$ 13,600
After Value of Part Not Taken	12,700	12,500
Change in Value of Part Not Taken	- $ 900	- $ 1,100
Per Cent Change in Value	$ 900 / $ 13,600 - 7%	$ 1,100 / $ 13,600 - 8%

REMARKS

As predicted by the appraiser, there was only a slight loss in value of the remainder despite the fact that the size and shape of the remainder was changed substantially.


N
TO DEERLODGE COUNTY ROAD
HOUSE
GARAGE
6.25 AC.
SUBJECT PROPERTY
ACCESS
3.38 AC. TAKEN
WEST BOUND LANES TO BE CONSTRUCTED IN FUTURE
EASTBOUND LANE
CONTROL FENCE
ACCESS
CONTROL FENCE
0.37AC.
LANDLOCKED
TO BUTTE


TO DEERLODGE
COUNTY ROAD
LAND LOCKED PARCEL
SUBJECT PROPERTY



CASE STUDY

NO. 12

STOCK RANCH

CHANGE IN USE OF PORTION

AT INTERCHANGE

INTERSTATE ROUTE 94

NEAR MILES CITY, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

LEGAL DESCRIPTION

Four thousand five hundred ninety four (4,594) acres in Sections 23, 24, & 25, T 8N, R 47E; Sections 19, 20, 21, 27, 28, 32 & 33, T 8N, R 48E; and in Section 5, T 7N, R 48E, M.P.M., Custer County, Montana

The full legal description of this property is shown in a deed on file in the records of Custer County on Page 540, Book 68 of Deeds.

LOCATION

This property borders the southeasterly side of U.S. Highway No. 10 for approximately 3/4 of a mile beginning about 1½ miles northeast of Miles City, Montana. It is also adjacent to, or on the both sides of U.S. Highway No. 12 for a distance of about 5¼ miles running east from the junction of Highways No. 10 and No. 12.

Miles City, the county seat of Custer County, is a major livestock marketing area and has a population of approximately 9,800.

NARRATIVE DESCRIPTION OF THE PROPERTY BEFORE TAKING

Before the taking this property was a 4,594 acre stock ranch with 399 acres of irrigated cultivated land, part of which had a potential for development and sale of building sites due to a trend to develop rural homesites abutting Highway No. 12 near its junction with U.S. Highway No. 10. The property also had 3,945 acres of dry grazing land and 250 acres of flood irrigated crop and grazing land.

The property was extensively improved with several sets of farm and ranch improvements in various locations on the westerly part of the property.

Principle access to the property was provided by U.S. Highway No. 12 running east and west through the property, and by two north-south county roads on the westerly part of the property.

NARRATIVE DESCRIPTION OF PORTION ACQUIRED FOR RIGHT OF WAY

In October, 1960, the State acquired 46 acres of dry grazing land from this property for the construction of Interstate Route 94 and for the relocation of approximately 3/4 of a mile of U.S. Highway No. 12. The only improvement included in the taking was a concrete powder house.

Although sufficient right of way was acquired for the construction of a four lane highway, the current contract called for construction of the east bound lanes only for use by two way traffic. An Interchange was to be built partly on the subject property at the junction of the new facility with U.S. Highway No. 12.

The State's acquisition included all rights of access between the new facility and the abutting remainder.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER THE TAKING

After the taking this property contained 4,548 acres of land consisting of 399 acres of irrigated cultivated land and potential building sites along U.S. Highway No. 12, 250 acres of flood irrigated crop and grazing land, and 3,899 acres of dry grazing land.

Except for the concrete powder house which was included in the taking, the building improvements remained the same as before the taking.

Access to the property is the same as before the taking except that additional access was provided by the interchage located on the property. This interchange is one of three interchanges providing access between the new facility and Miles City. The nearest interchange is located at the Intersection of Interstate Route 94 with U.S. Highway No. 312 about $\frac{1}{2}$ mile southeast of Miles City and approximately $2\frac{1}{2}$ miles southwest of the subject property. The other interchange is located about $1\frac{1}{2}$ miles southwest of Miles City and approximately five miles southwest of the subject property.

SALE OF A PORTION OF THE REMAINDER

In September, 1962, a five acre tract was sold out of the remainder for a confirmed price of $10,000.

This tract is located on the north side of U.S. Highway No. 12 approximately 1,000 feet west of the interchange ramps on the westerly side of the new highway. The tract has 466.7 feet of frontage along Highway No. 12 and has a depth of 466.7 feet.

The buyer is constructing a truck stop which will include a gas station, restaurant, and lodging facilities for truckers. He indicated that the location of the Interstate Highway and the interchange was the deciding factor in the selection of this particular site.

The Deed conveying this property is recorded on Page 425 in Book 102 of Deeds in Custer County.

SUMMARY OF APPROVED APPRAISAL

This section is being omitted from this report since the sale property is only a very small part of the entire remaining property and a resume of the before and after appraisals of the entire property would only lengthen this report without contributing anything of benefit to the reader.

CHANGE IN VALUE OF PORTION SOLD

	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Sold	$ 1,500	$ 1,500
After Value of Part Sold	1,500	10,000
Change in Value of Part Sold	$ 0	+ $ 8,500
Percent Change in Value	$ 0 / $1,500 0%	$8,500 / $1,500 +567%

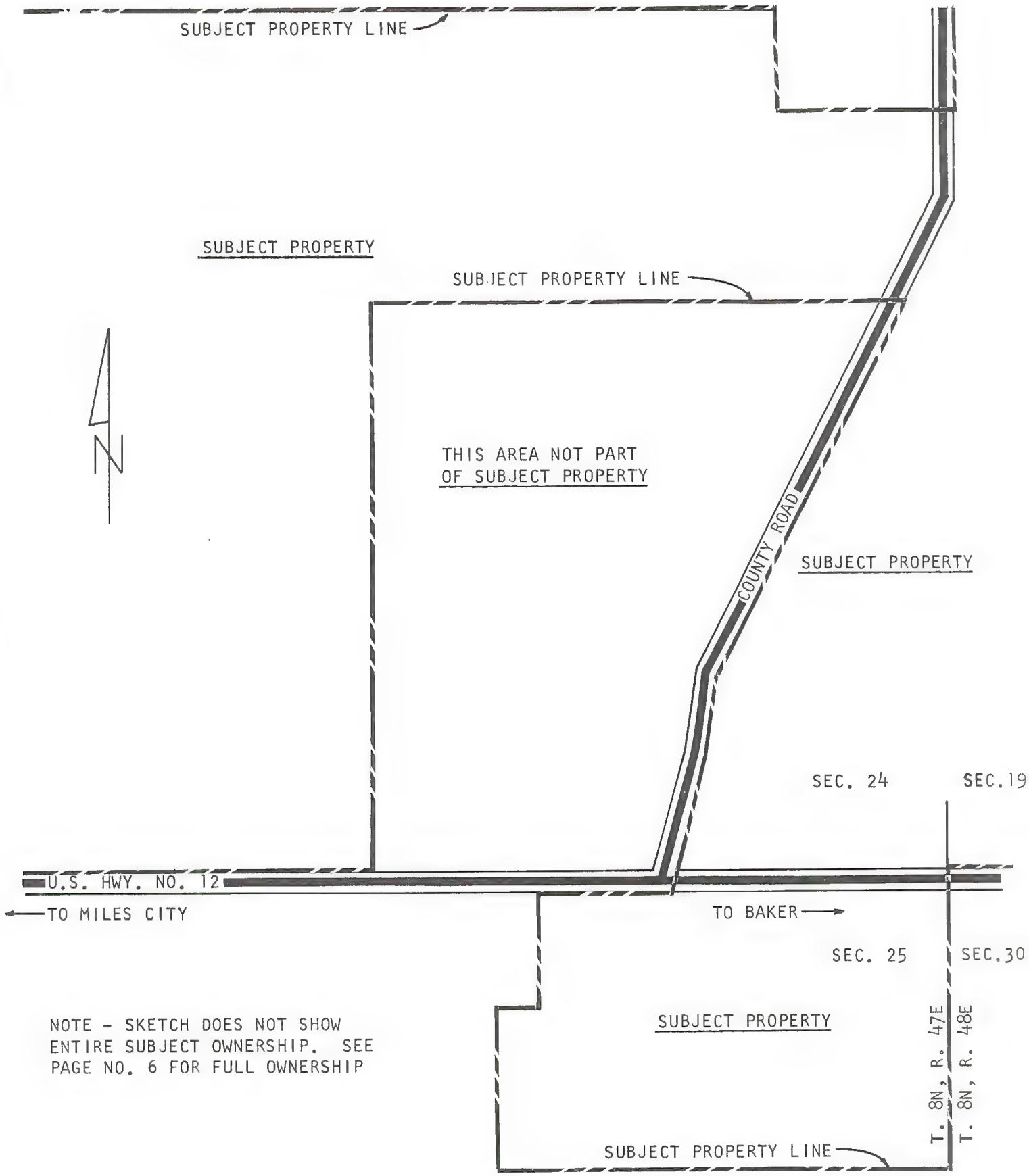
NOTE: The above "Before Values" and the "After Value" indicated by the appraisal are taken from the appraisal on the basis of the value of the five acre tract as a part of the whole, at $300 per acre.

REMARKS

Construction of the new highway with its interchange has brought about a change in the highest and best use of a portion of the subject property with an attendant increase in value.

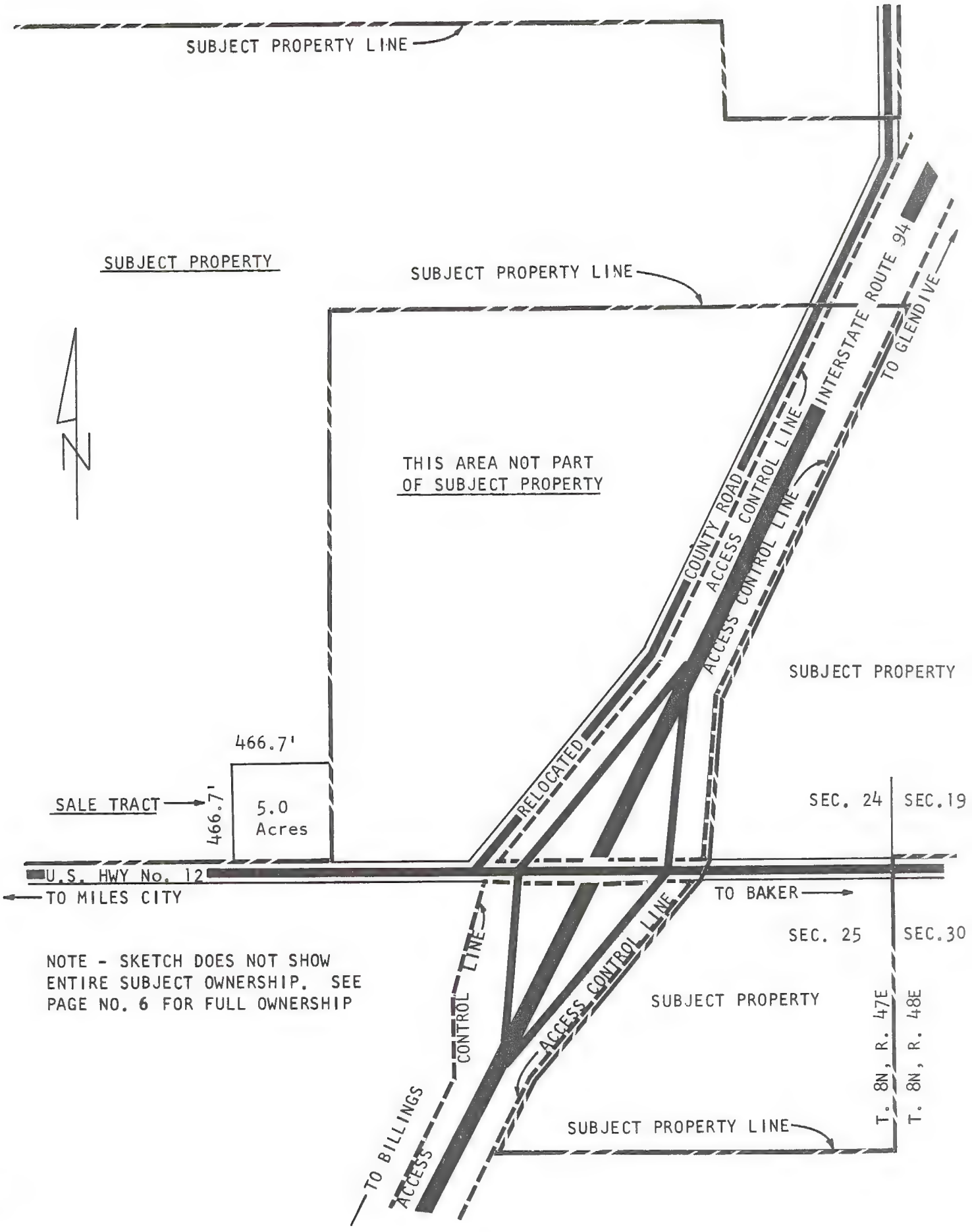
The fact that the portion sold is located 1,000 feet away from the interchange indicates that the influence of the new facility extends beyond the immediate proximity to the interchange.

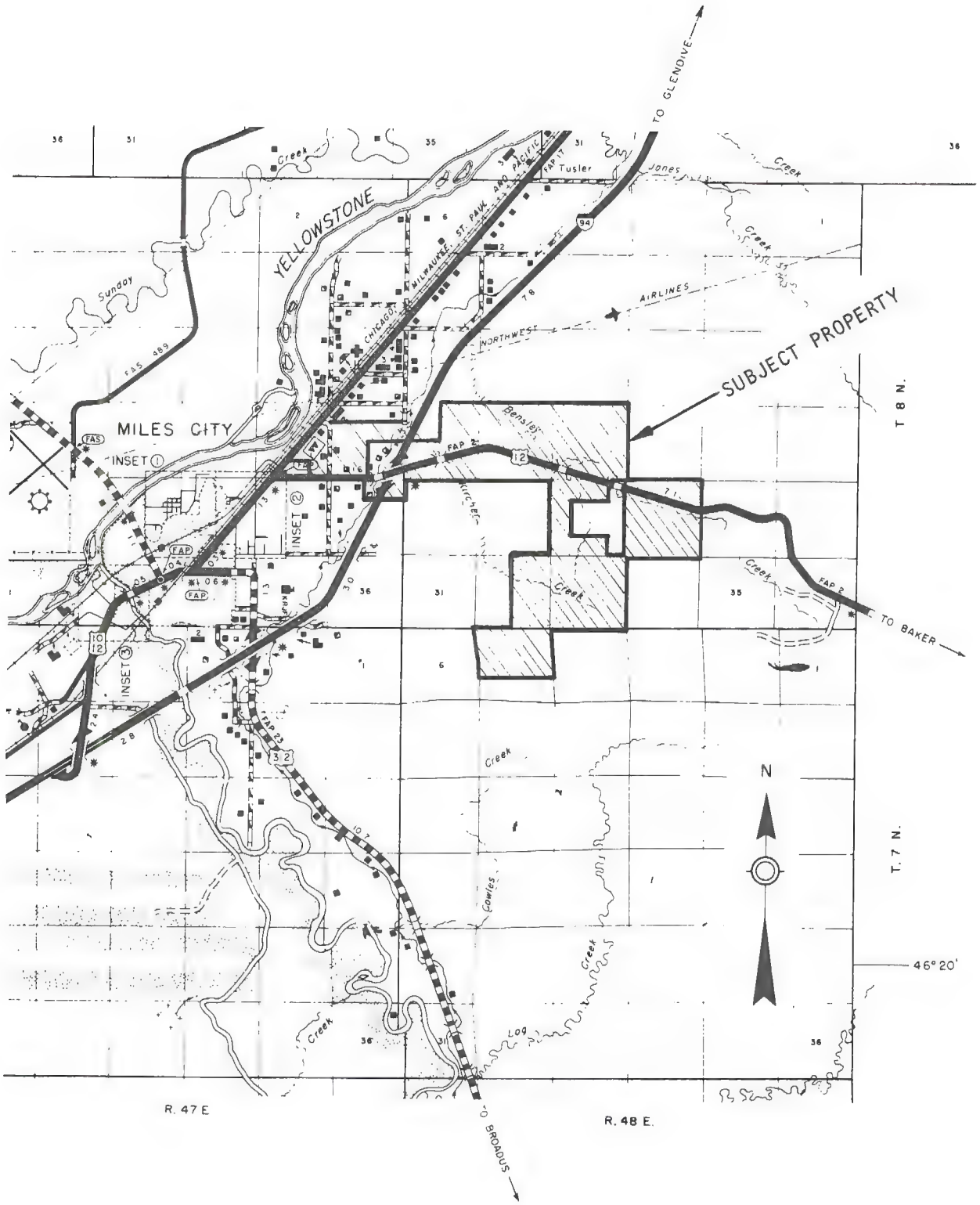
BEFORE



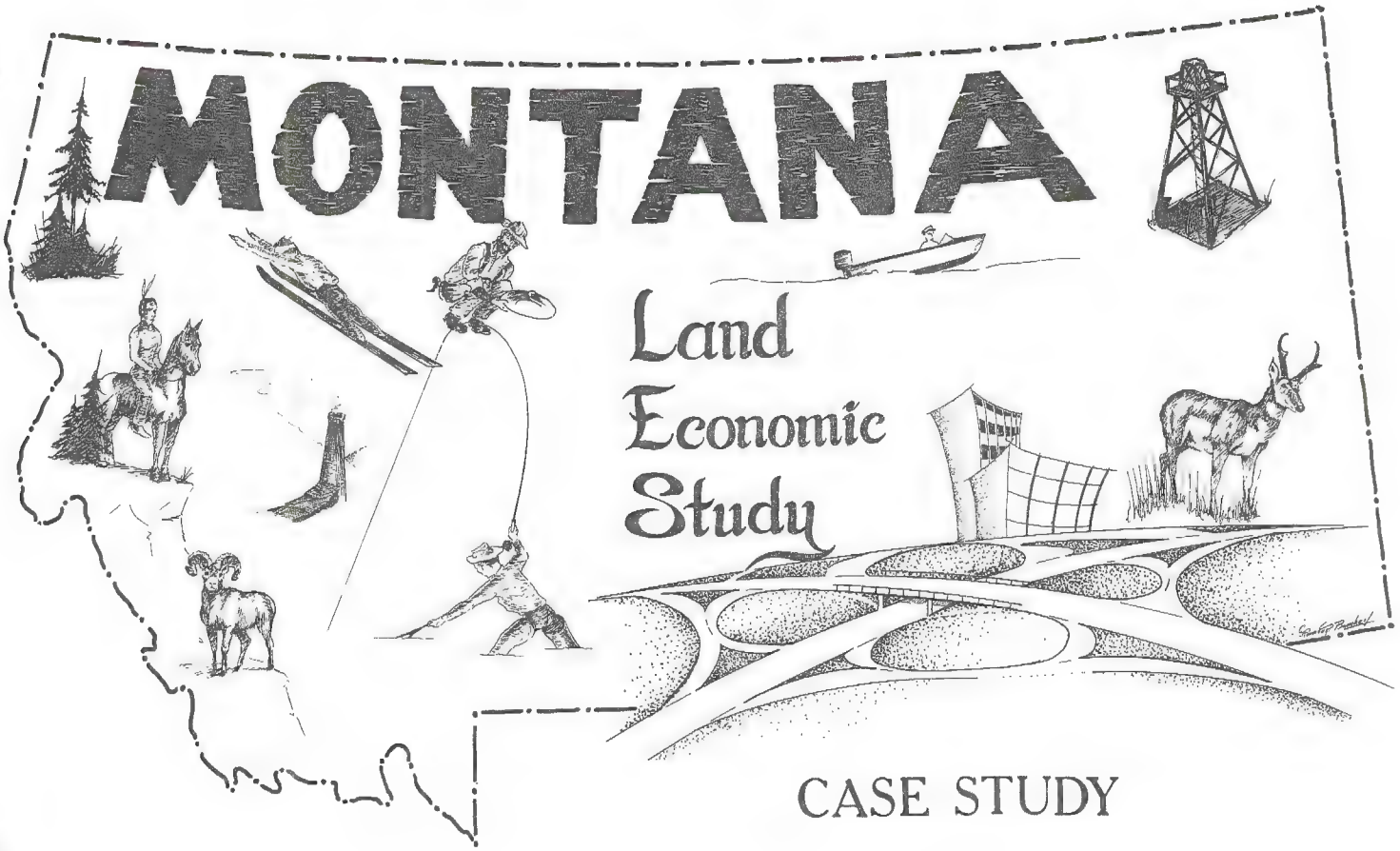
NOTE - SKETCH DOES NOT SHOW ENTIRE SUBJECT OWNERSHIP. SEE PAGE NO. 6 FOR FULL OWNERSHIP

AFTER


SUBJECT PROPERTY LINE
SUBJECT PROPERTY
SUBJECT PROPERTY LINE
INTERSTATE ROUTE 94
TO GLENDIVE
THIS AREA NOT PART
OF SUBJECT PROPERTY
COUNTY ROAD
ACCESS CONTROL LINE
ACCESS CONTROL LINE
SUBJECT PROPERTY
466.7'
SALE TRACT
466.7'
5.0
Acres
RELOCATED
SEC. 24
SEC. 19
U.S. HWY No. 12
TO MILES CITY
TO BAKER
SEC. 25
SEC. 30
NOTE - SKETCH DOES NOT SHOW
ENTIRE SUBJECT OWNERSHIP. SEE
PAGE NO. 6 FOR FULL OWNERSHIP
CONTROL LINE
ACCESS CONTROL LINE
SUBJECT PROPERTY
T. 8N, R. 47E
T. 8N, R. 48E
TO BILLINGS
ACCESS
SUBJECT PROPERTY LINE


TO GLENDIVE
YELLOWSTONE
Tusler
Jones
Creek
Sunday
FAS 483
MILWAUKEE ST. PAUL AND PACIFIC
CHICAGO
NORTHWEST
AIRLINES
SUBJECT PROPERTY
MILES CITY
INSET ①
INSET ②
INSET ③
Bensley
Hirschey
Creek
FAP 2
TO BAKER
T 8 N.
T. 7 N.
N
Gowies
Log
46°20'
R. 47 E
R. 48 E.
TO BROADUS

MILES CITY
ACRE SALE



CASE STUDY

NO. 13

SMALL FARM

SEPARATED & LANDLOCKED REMAINDERS

INTERSTATE ROUTE 94

NEAR MILES CITY, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

LEGAL DESCRIPTION

SW¼ Section 8, T 8N, R 48E, M.P.M., Custer County, Montana, excepting therefrom the south 466.7 feet of the west 466.7 feet and the west 65 feet of the north 450 feet of said SW¼ Section 8.

LOCATION

This property is located on both sides of Interstate Route 94, approximately five miles northeast of Miles City, Montana.

Miles City, the county seat of Custer County and an important livestock marketing area, has a population of approximately 9,800.

NARRATIVE DESCRIPTION OF THE PROPERTY BEFORE TAKING

Before the taking, this was a 154.3 acre farm containing 8.5 acres of gravity irrigated cultivated land, 63.2 acres of pump irrigated land, 64.6 acres of tillable grazing land and 18.0 acres of dry grazing land.

Building improvements consisted of a frame stucco dwelling, a shop building, storage sheds, and corrals. The improvements were old and in a very rundown condition.

Access to the property was provided by a county road abutting the west property line.

NARRATIVE DESCRIPTION OF PORTION ACQUIRED FOR RIGHT OF WAY

In November, 1960, the State acquired 14.6 acres of land from this property for the construction of Interstate Route 94. There were no improvements included in the taking.

The taking ran diagonally across this property in a northeasterly direction leaving 79.7 acres on the southeasterly side of the new highway and 60 acres and all of the building improvements on the northwesterly side.

The State acquired all right of access between the new highway and the abutting remainder.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER THE TAKING

After the taking, this property contained 139.7 acres of land on both sides of the Interstate Highway. Building improvements remained the same as described before the taking.

The northwesterly remainder, upon which the buildings are located, contained 60 acres comprised of 8.5 acres of gravity irrigated cultivated land, 38.1 acres of pump irrigated land and 13.4 acres of tillable grazing land.

Access to the northwesterly remainder remained the same as before the taking since a portion of the county road was relocated along the northwesterly side of the new highway.

The southwesterly remainder contained 79.7 acres of grazing land, part of which was pump irrigated land and tillable grazing land before the taking. This portion of the remainder was completely landlocked by the State's acquisition.

SALE OF THE REMAINDER

In April, 1961, approximately six months after the State's acquisition, the entire remainder was sold for a confirmed price of $6,000. This transaction is on file in the Custer County Records on Page 327, Book 100 of Deeds.

Eight months later, in December, 1961, the entire remainder sold again. This time the sale price was $9,500. This sale is recorded on Page 99, Book 102 of Deeds, Custer County Records.

The improvements on this property were not changed in any manner in the interval between the State's acquisition and the subsequent sales. However, the second buyer is using the property for residential purposes only and has rehabilitated the dwelling.

SUMMARY OF APPROVED APPRAISAL

BEFORE VALUE:

Land -	8.5 Acres	@ $ 300	$ 2,550	
	63.2 Acres	@ 91	5,750	
	64.6 Acres	55	3,550	
	18.0 Acres	20	360	
Improvements - All			5,275	
			TOTAL BEFORE VALUE (ROUNDED)	$ 17,500

AFTER VALUE:

Land -	8.5 Acres	@ $ 300	$ 2,550	
	38.1 Acres	@ 91	3,470	
	13.4 Acres	@ 55	735	
	79.7 Acres	@ 5	400	
Improvements - All			5,275	
			TOTAL AFTER VALUE (ROUNDED)	$ 12,400
			TOTAL COMPENSATION	$ 5,100

VALUE OF PART TAKEN

Land -	7.7 Acres	@ $ 91	$ 700	
	6.9 Acres	@ 55	380	
			TOTAL	$ 1,080
			REDUCTION IN VALUE OF PART NOT TAKEN	$ 4,020

Value of Property Before Taking	$ 17,500
Value of Part Taken	1,080
BEFORE VALUE OF PART NOT TAKEN	$ 16,420

Investigation discloses that there was no significant change in general real estate values in the short intervals between the State acquisition and subsequent resales.

CHANGE IN VALUE OF PART NOT TAKEN

FIRST SALE:

	INDICATED BY APPRAISAL	INDICATED BY SALE
Before value of Part Not Taken	$ 16,420	$ 16,420
After Value of Part Not Taken	12,400	6,000
Change in Value of Part Not Taken -	$ 4,020	- $ 10,420
Per Cent Change in Value	$ 4,020 / $ 16,420 - 25%	$ 10,420 / $ 16,420 - 63%

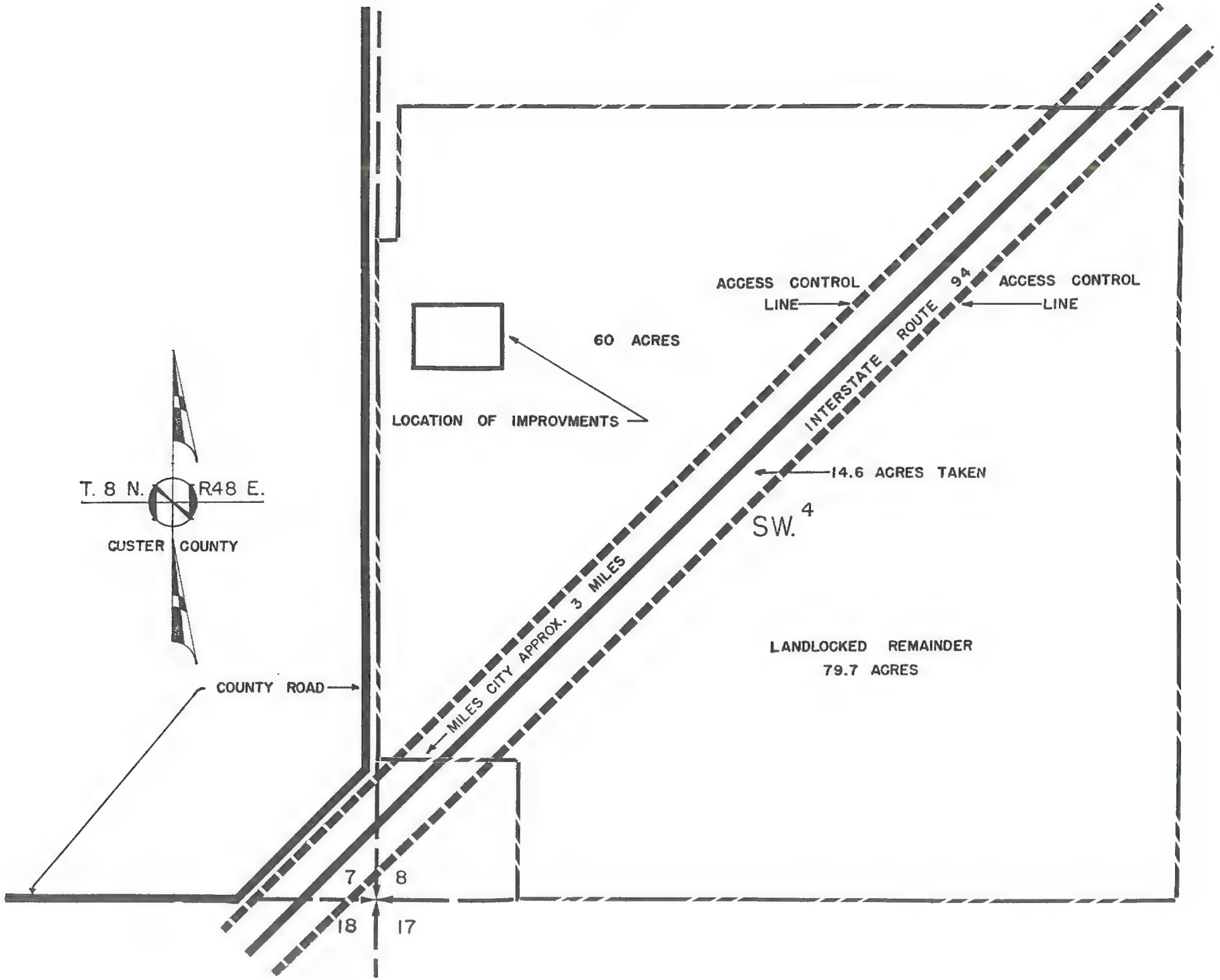
SECOND SALE:

	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Not Taken	$ 16,420	$ 16,420
After Value of Part Not Taken	12,400	9,500
Change in Value of Part Not Taken -	$ 4,020	- $ 6,920
Per Cent Change in Value	$ 4,020 / $ 16,420 - 25%	$ 6,920 / $ 16,420 - 42%

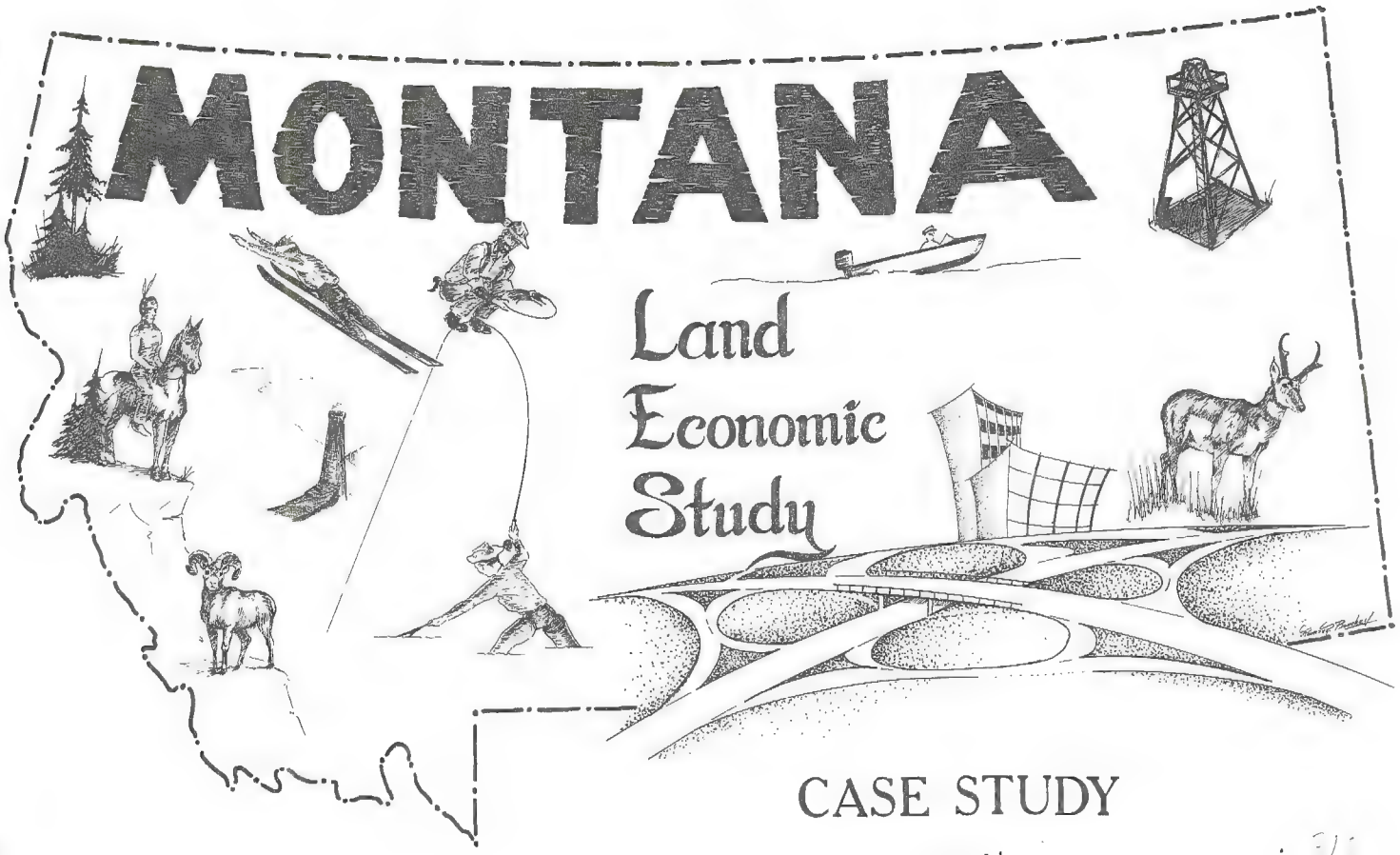
REMARKS

While the first sale of the remainder displays a loss in value of 63%, the second sale which occured eight months later, resulted in a loss in value of 42% when compared to the appraisal.

Although the loss in value indicated by each of the sales was substantially greater than anticipated by the appraiser, there is an indication of recovery of value after a relatively short period of adjustment.


ACCESS CONTROL LINE
ACCESS CONTROL LINE
INTERSTATE ROUTE 94
60 ACRES
LOCATION OF IMPROVMENTS
14.6 ACRES TAKEN
SW. 4
T. 8 N.
R48 E.
CUSTER COUNTY
COUNTY ROAD
MILES CITY APPROX. 3 MILES
LANDLOCKED REMAINDER
79.7 ACRES
7
8
18
17

60 ACRES
79.7 ACRES
LANDLOCKED



CASE STUDY

NO. 14

RURAL RESIDENCE

CHANGE IN USE

AT INTERCHANGE

INTERSTATE ROUTE 94

NEAR MILES CITY, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

LEGAL DESCRIPTION

Ten acres in Lot 4, Section 2, Township 7 North, Range 47 East, M.P.M., Custer County, Montana more particularly described by metes and bounds in a deed recorded on Page 32, Book 89 of Deeds, Custer County Records.

LOCATION

This property is located on the easterly side of U.S. Highway No. 312 approximately one mile southeast of Miles City, Montana. It is on the northerly side of Interstate Route 94, about 200 feet north of an interchange at the junction of Interstate Route 94 with U.S. Highway No. 312.

Miles City, the County Seat of Custer County, has a population of approximately 9,800.

NARRATIVE DESCRIPTION OF THE PROPERTY BEFORE TAKING

Before the taking this was a 10 acre suburban acreage homesite improved with a dwelling, a separate double garage, a barn, six miscellaneous out-buildings and land improvements consisting of lawn, yard fence, gravel drive and a variety of trees and shrubs.

The property was level and on grade with U.S. Highway No. 312, an oil surfaced highway which provided excellent access to the property. It had 544 feet of frontage on Highway 312 and a depth of 722 feet along its north line and 894 feet along its south line.

The building improvements were located near the middle of the westerly part of the site, adjacent to the highway.

NARRATIVE DESCRIPTION OF PORTION ACQUIRED FOR RIGHT OF WAY

In December, 1959, the State acquired 0.83 of an acre from the southeasterly corner of this property for the construction of Interstate Route 94 which bypasses Miles City on the easterly side of the town. The acquisition included all rights of access between the new highway and the abutting remainder of the subject property. There were no improvements included in the taking.

Sufficient right of way was acquired for a four-lane highway, but only the east bound lanes were built for use by two way traffic until such time as the traffic volume increased to the point where four lanes would be needed.

An interchange was constructed at the junction of the new highway with U.S. Highway No. 312. The northerly-most off and on ramps intersected the existing highway about 200 feet south of the subject property.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER TAKING

After the taking this property was a level, 9.17 acre site with 544 feet of frontage on U.S. Highway No. 312. The easterly property line was irregular giving the property a maximum depth of about 810 feet at a point 200 feet north of the south property line. Depth along the north line was 722 feet and the depth along the south line was 537 feet.

The building improvements remained the same as described before the taking.

Access to the property by means of U.S. Highway No. 312 remained the same as before the taking, but the property had the added advantage of being located between the Interstate Highway interchange and the town of Miles City.

This interchange is one of three interchanges providing access between the new highway and Miles City. The others are located about $2\frac{1}{2}$ miles southwest and $2\frac{1}{2}$ miles northeast of the subject property.

SALE OF THE REMAINDER

The entire remainder was sold in two transactions to separate parties.

In September, 1960, approximately nine months after the State's acquisition, a major oil company acquired an option to purchase a 3.14 acre tract from the southwest corner of the remainder for $15,000. The option was exercised in January, 1961.

The site was rectangular in shape with 255 feet of frontage on U.S. Highway No. 312, and a depth of 537 feet.

The balance of the remainder, 6.03 acres with all of the buildings, was sold in March, 1963, for $27,500. This "L" shaped tract had 289 feet of frontage on U.S.Highway No. 312, and a depth of 722 feet along the north property line.

Two days after the second sale, the property was leased to a party contemplating the construction of a truck stop which would include gas station, restaurant and sleeping facilities for truckers. Full terms of the lease were not available but the lessee advises that, under the terms, he must remove the existing buildings at his own expense.

The full price received from the sale of the entire remainder was $42,500.

SUMMARY OF APPROVED APPRAISAL

BEFORE VALUE:		
Land - 10 Acres @ $1,000		$ 10,000
Improvements -	House	11,150
	Garage	1,050
	Barn	2,180
	Misc. Buildings	375
	Land Improvements	650
	TOTAL BEFORE VALUE (rounded)	$ 25,400
AFTER VALUE:		
Land - 9.17 Acres @ $900		$ 8,250
Improvements -	House	10,030
	Garage	940
	Barn	1,960
	Misc. Buildings	340
	Land Improvements	580
	TOTAL AFTER VALUE (rounded)	$ 22,100
	TOTAL COMPENSATION	$ 3,300

	TOTAL COMPENSATION	$ 3,300
VALUE OF PART TAKEN:		
Land - 0.83 Acres @ $1,000	$ 830	
	TOTAL	$ 830
	REDUCTION IN VALUE OF PART NOT TAKEN	$ 2,470
Value of Property Before Taking	$ 25,400	
Value of Part Taken	830	
BEFORE VALUE OF PART NOT TAKEN	$ 24,570	

NOTE: Investigation revealed that there was no substantial change in real estate value in the intervals between the State's acquisition and the subsequent sales of the remainder.

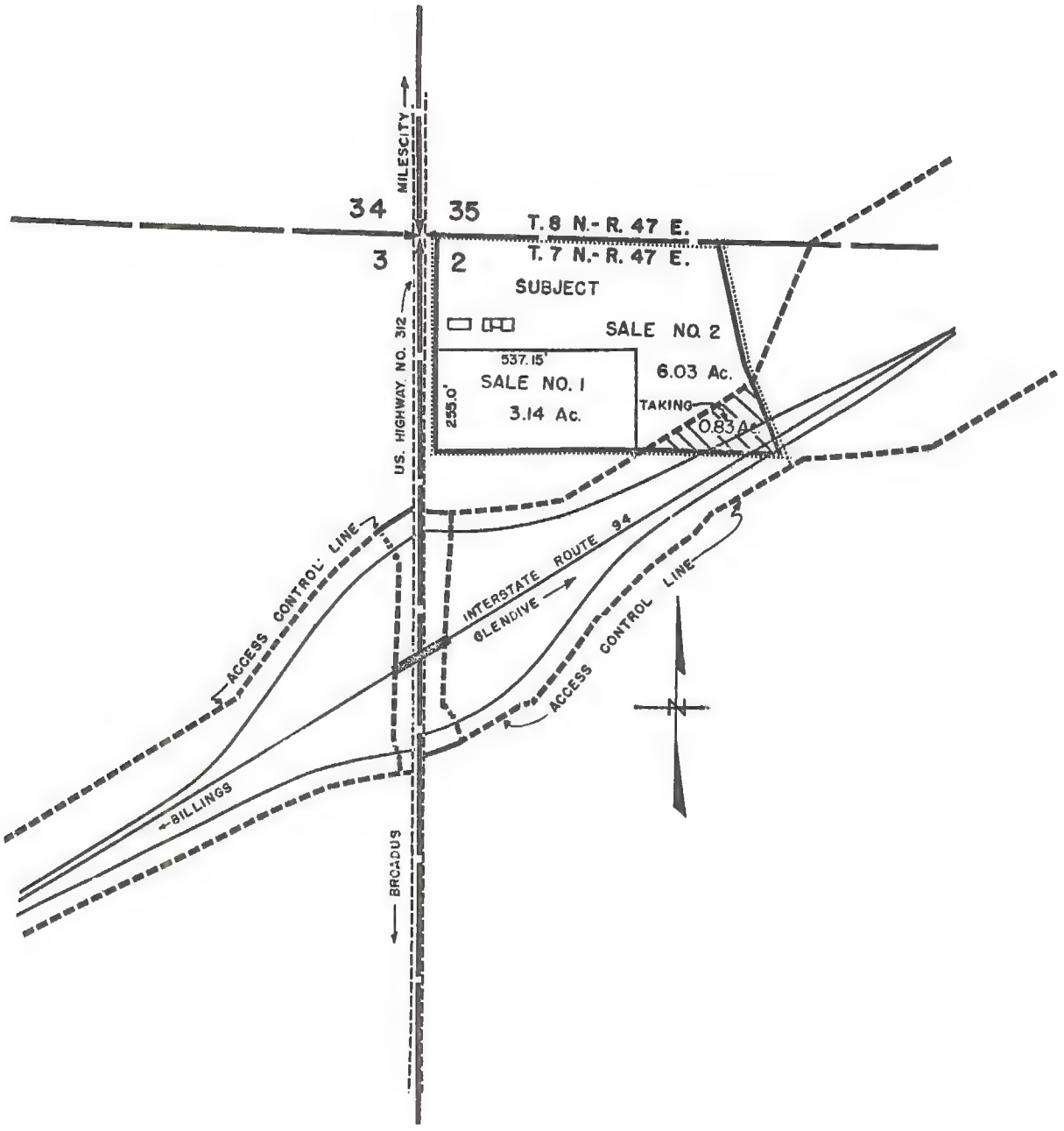
CHANGE IN VALUE OF PART NOT TAKEN

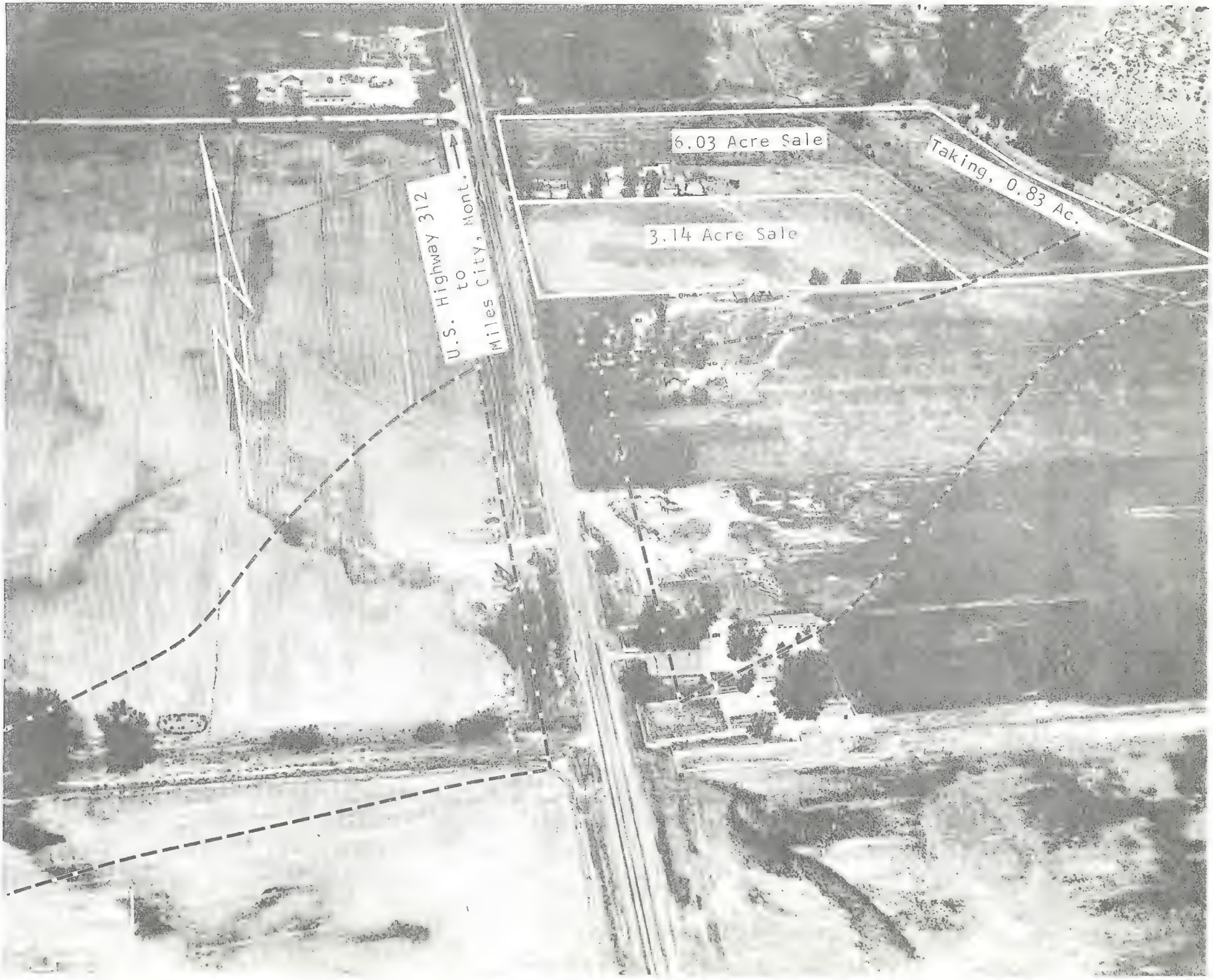
	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Not Taken	$ 24,570	$ 24,570
After Value of Part Not Taken	22,100	42,500
Change in Value of Part Not Taken	- $ 2,470	+ $ 17,930
Percent Change in Value	$ 2,470 / $ 24,570 -10%	$ 17,930 / $ 24,570 +73%

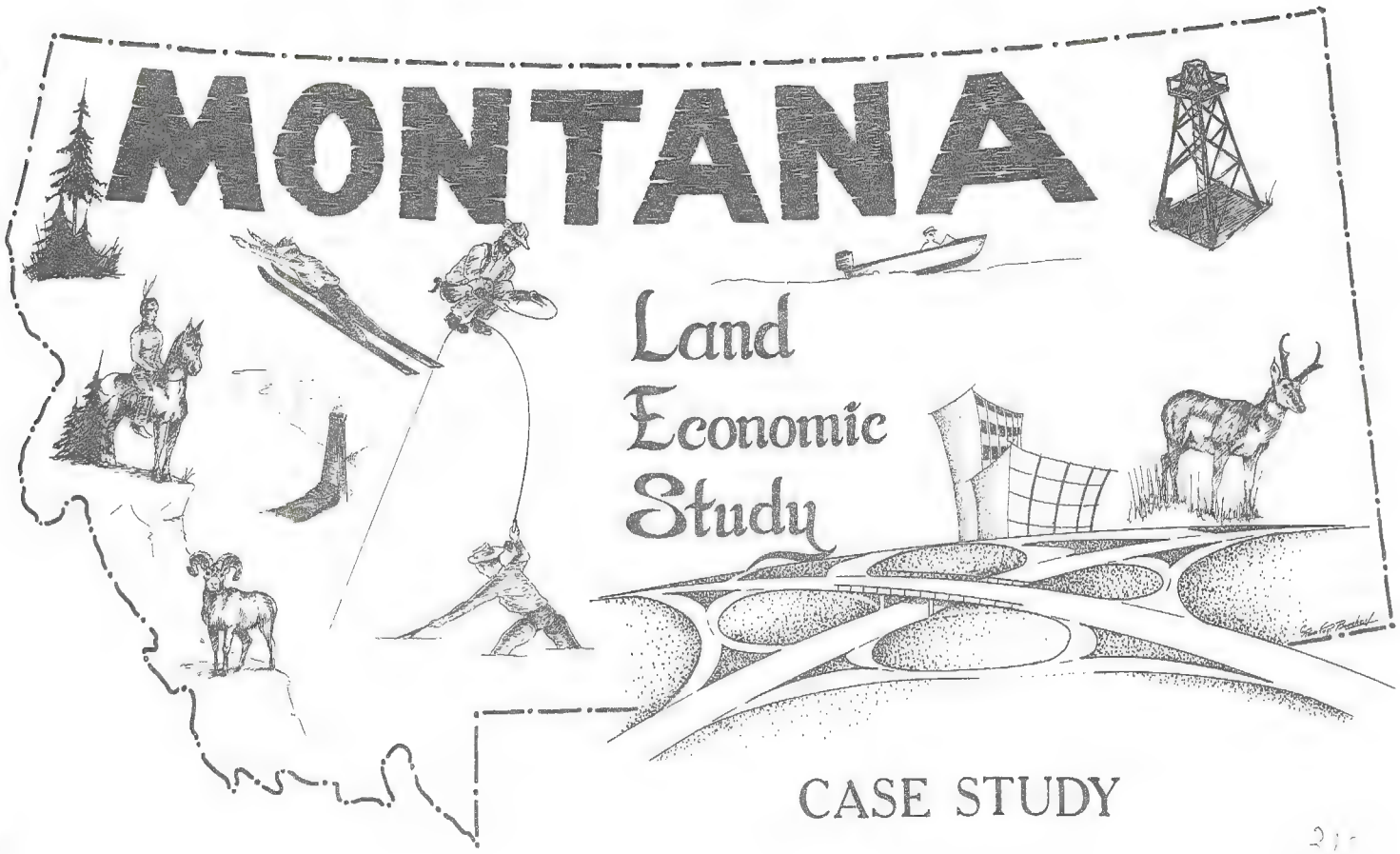
REMARKS

The subject property displayed a change in highest and best use with an attendent gain in value which was directly attributable to its location with respect to the new Interstate Highway Interchange.

It is worthwhile to note that, as a result of the change in highest and best use, the buyers were only interested in the land. The improvements did not contribute to the sale price.


MILES CITY
34
35
T. 8 N. - R. 47 E.
3
2
T. 7 N. - R. 47 E.
SUBJECT
SALE NO. 2
6.03 Ac.
537.15'
SALE NO. 1
3.14 Ac.
255.0'
TAKING
0.83 Ac.
US. HIGHWAY NO. 312
ACCESS CONTROL LINE
INTERSTATE ROUTE 94
GLENDIVE
ACCESS CONTROL LINE
BILLINGS
BROADUS


6.03 Acre Sale
Taking, 0.83 Ac.
3.14 Acre Sale
U.S. Highway 312
to
Miles City, Mont.



CASE STUDY

NO. 15

SINGLE FAMILY RESIDENCE

CHANGE IN USE

AT INTERCHANGE

INTERSTATE ROUTE 15

HELENA, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

LEGAL DESCRIPTION

The south 752.5 feet of the north 1505 feet of the west 585 of the SE$\frac{1}{4}$, Sec. 20, T 10N, R 3W, M.P.M., Lewis and Clark County, Montana.

LOCATION AND ZONING

This property is located on the north and south sides of Cedar Street between Oakes Street and Lamborn Street in the City of Helena, Montana. It is situated in the northerly part of the City of Helena in an area characterized by low quality single family residences.

The property was zoned for residential use at the time of acquisition, but at the present time there is a zoning change pending which will classify this property as commercial. Detailed information regarding uses which will be permitted under the rezoning is not available.

NARRATIVE DESCRIPTION OF THE PROPERTY BEFORE TAKING

Before the taking this was an unplatted ten acre tract of land having 752.5 feet of frontage on Oakes Street along its west line and the same amount of frontage on Lamborn Street along its east line. From east to west, the property was 585 feet wide. The property was nearly level and was at even grade with Oakes and Lamborn Streets.

The property was improved with an old, 1$\frac{1}{2}$ story frame stucco dwelling, a wood frame garage with a dirt floor, a barn, a chicken house, and a machine shed. The buildings were in fair to poor condition. Land improvements included concrete sidewalks around the house, a variety of trees and shrubs, a woven wire boundary fence, and a water well used for irrigation. Utilities serving the property were city sewer and water, natural gas, and electricty.

Access to the property was provided by Oakes and Lamborn Streets which were both gravel surfaced.

NARRATIVE DESCRIPTION OF PORTION ACQUIRED FOR RIGHT OF WAY

In May, 1960, the State acquired 5,29 acres of land from this property for the construction of an interchange on Interstate Route 90 and for the development of Cedar Street which is now the principle means of access from the interchange to the business district of Helena. The taking was from the easterly and northerly parts of the property leaving as remainders, 0.48 of an acre north of Cedar Street in the northwest corner of the property and 4.23 acres south of Cedar Street and west of the Interstate Highway.

The only improvement acquired by the State was a portion of the boundary fence.

The State acquired all rights of access along the new right of way lines except the west 60 feet of frontage along the south side of Cedar Street and the west 10 feet of frontage along the north side of Cedar Street. However, the access control fence ended at the interchange ramps and were not extended along the Cedar Street frontage.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER TAKING

After the taking this property contained 4.71 acres divided into two parts, as described previously.

The 0.48 acre northerly remainder had 180 feet of frontage along the newly constructed Cedar Street, 102 feet of frontage along the interchange off-ramp, and about 100 feet of frontage along Oakes Street.

The 4.23 acres southerly remainder had 235 feet of frontage along Cedar Street, 624 feet of frontage along an interchange on-ramp, and 530 feet of frontage along Oakes Street.

There was no access between the remainders and the interchange ramps. Access between the remainders and Cedar Street was limited to the West 10 feet of frontage north of Cedar Street and the west 60 feet of frontage south of Cedar Street. Access to Oakes Street, which intersects Cedar Street at grade, remained unrestricted.

The remainders were at even grade with Oakes Street, but varied from 3 feet below the grade of Cedar Street at the west property line to about 10 feet below grade at the east property line. The remainders were also about 10 feet below the grades of the interchange ramps.

Building improvements, located about 160 feet south of Cedar Street and about 100 feet southwest of the interchange on-ramps, remained the same as described before the taking. Utilities serving the property were the same as before the taking.

SALE OF THE REMAINDER

In December, 1962, the remainder was sold for a confirmed price of $10,500. By agreement the seller tore the buildings down and removed them from the property. Salvaged material was sufficient to cover the cost of removal.

The buyer is a speculator and is holding the property in hope of selling at a profit for commercial use.

The conveyance is recorded on Page 403, Book 228 of Deeds, Lewis & Clark County Records.

SUMMARY OF APPROVED APPRAISAL

BEFORE VALUE:

Land - 10 acres @ $882	$ 8,820	
Improvements - Dwelling	4,915	
Other Bldgs.	965	
Land Improvements	975	
TOTAL BEFORE VALUE		$15,675

	TOTAL BEFORE VALUE	$15,675

AFTER VALUE:

Land - 0.48 Acres @ $ 350	$ 170	
1.38 Acres @ $ 620	855	
2.85 Acres @ $ 882	2,515	
Improvements - Dwelling	4,915	
Other Bldgs.	965	
Land Improvements	840	
TOTAL AFTER VALUE		$10,260
TOTAL COMPENSATION		$ 5,415

VALUE OF PART TAKEN:

Land - 5.29 Acres @ $ 882	$ 4,665	
Improvements - Fence	93	
TOTAL		$ 4,758
REDUCTION IN VALUE OF PART NOT TAKEN		$ 657

Value of Property Before Taking	$15,675
Value of Part Taken	4,758
BEFORE VALUE OF PART NOT TAKEN	$10,917

There is no indication of a significant change in general real estate values in the interval between the State's acquisition and subsequent sale of the remainder, therefore it is not necessary to adjust the appraisal to reflect changed market conditions.

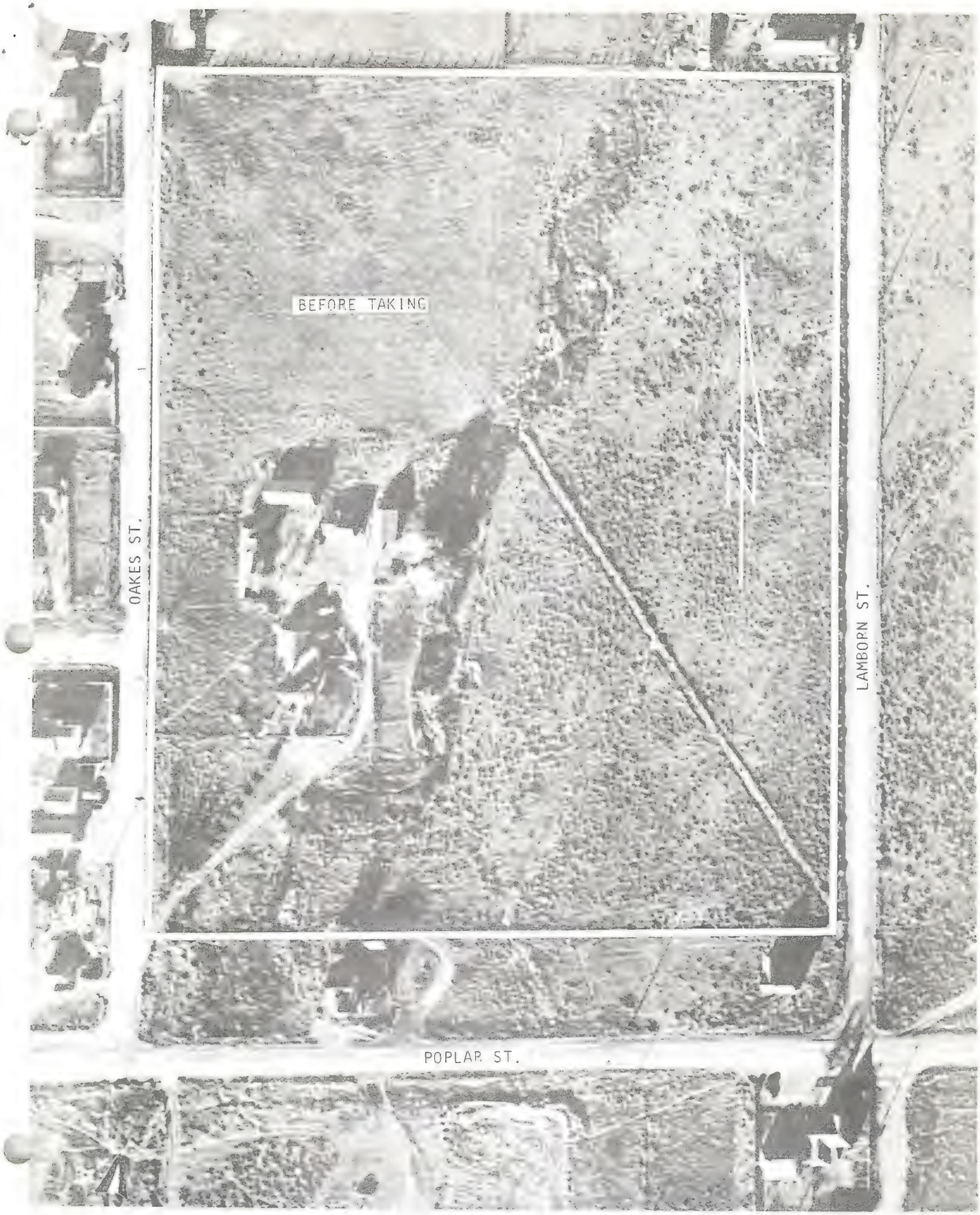
CHANGE IN VALUE OF PART NOT TAKEN

	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Not Taken	$10,917	$10,917
After Value of Part Not Taken	10,260	10,500
Change in Value of Part Not Taken	- $ 657	- $ 417
Percent Change in Value	$657 / $10,917 -6%	$417/$10,917 -4%

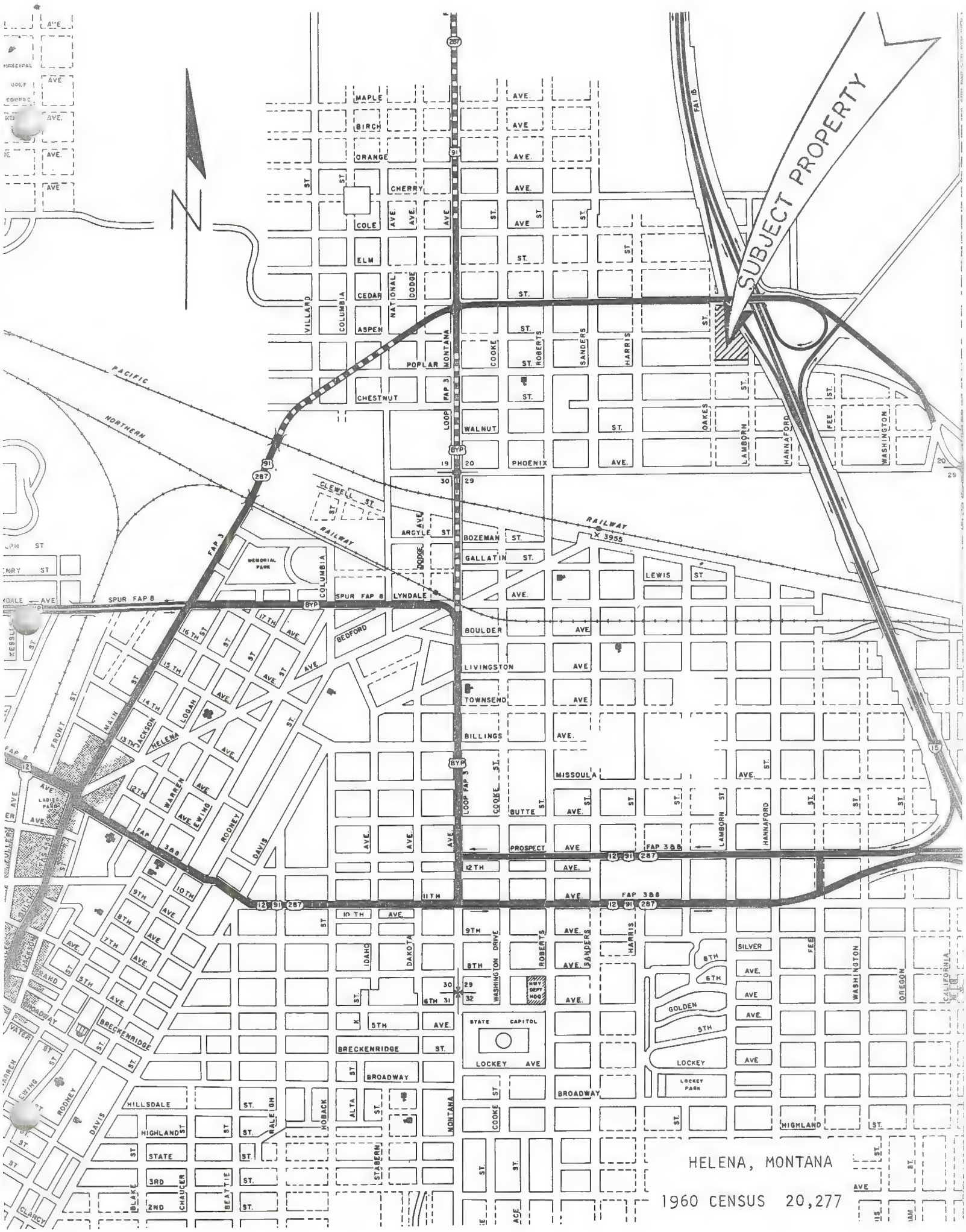
REMARKS

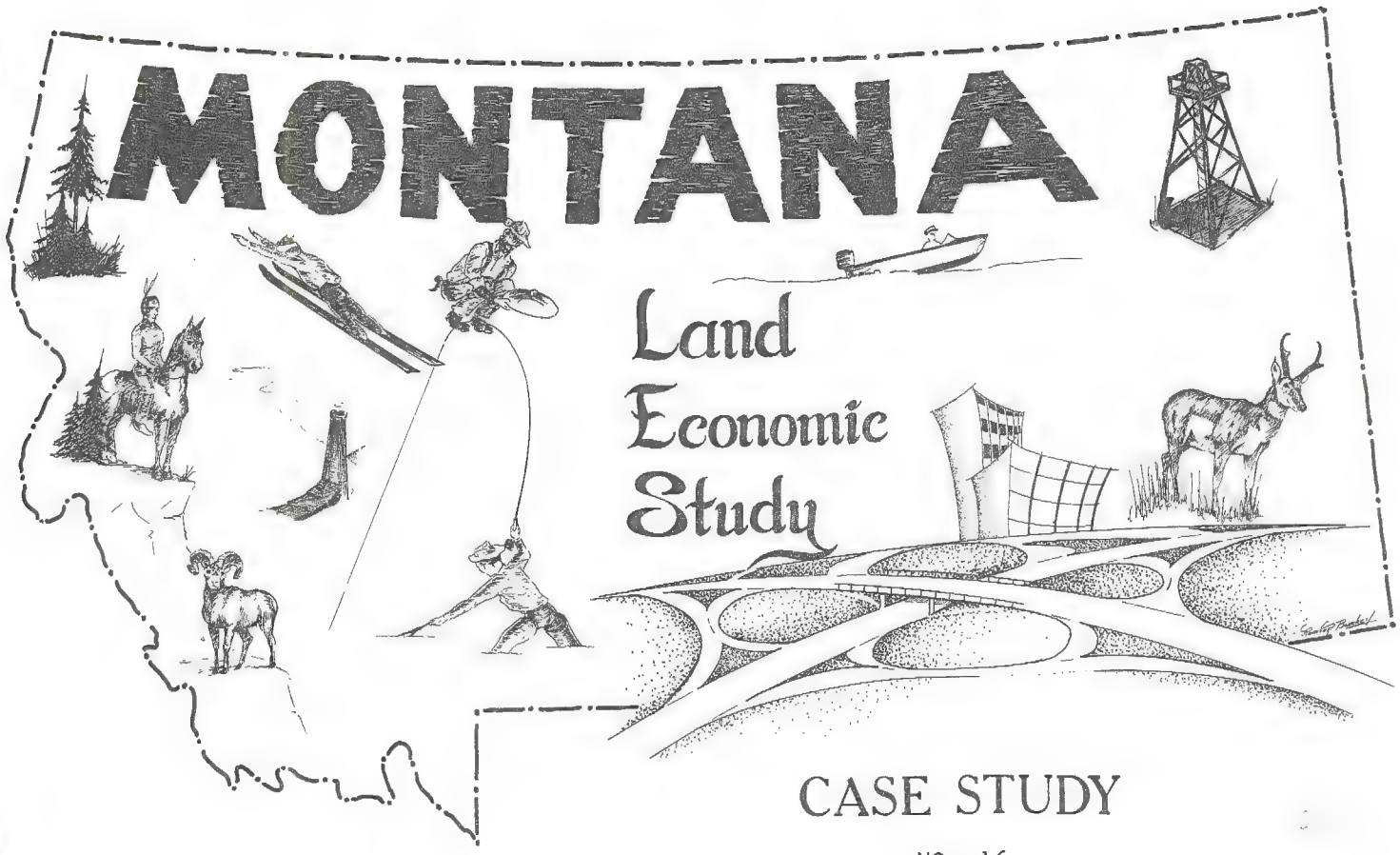
Although the property has not been developed in the 1½ years since the sale of the remainder, the sale reflects an anticipated change in highest and best use, as evidenced by the removal of the buildings and pending change in zoning. This was obviously brought about by the location of the property with respect to the Interstate Highway Interchange.

The State's appraisal was essentially correct in estimating the total value of the remainder, but the division of value between land and improvements was incorrect. As a result of the anticipated change in highest and best use, the value of the land increased, at the expense of the improvements, to the point where the buildings no longer contributed to the value of the property and had to be removed in order for the land to be available for a different use.


BEFORE TAKING
OAKES ST.
LAMBORN ST.
POPLAR ST.

ACCESS CONTROL LINE
OAKES ST.
LAMBORN ST.
CEDAR ST.
0.48 AC. REMAINDER
4.23 AC. REMAINDER
POPLAR ST.
ACCESS CONTROL LINE
AFTER TAKING


SUBJECT PROPERTY
HELENA, MONTANA
1960 CENSUS 20,277
MAPLE
BIRCH
ORANGE
CHERRY
COLE
ELM
CEDAR
ASPEN
POPLAR
CHESTNUT
WALNUT
PHOENIX
ARGYLE
BOZEMAN
GALLATIN
LYNDALE
BOULDER
LIVINGSTON
TOWNSEND
BILLINGS
MISSOULA
BUTTE
PROSPECT
12TH
11TH
10TH
9TH
8TH
6TH
5TH
BROADWAY
BRECKENRIDGE
LOCKEY
LOCKEY AVE
HILLSDALE
HIGHLAND
STATE
3RD
2ND
CLARKY
CLEWELL ST
BEDFORD
17TH
16TH
15TH
14TH
13TH
JACKSON
HELENA
LOGAN
WARREN
EWING
ROONEY
DAVIS
MAIN
FRONT ST
COLUMBIA
DODGE
VILLARD
COLUMBIA
NATIONAL
DODGE
COOKE
ROBERTS
SANDERS
HARRIS
OAKES
LAMBORN
HANNAFORD
FEE
WASHINGTON
LEWIS
SILVER
GOLDEN
OREGON
CALIFORNIA
IDAHO
DAKOTA
WASHINGTON DRIVE
ALTA
MOBACK
RALEIGH
STABERN
BLAKE
CHAUCER
BEATTIE
PACIFIC NORTHERN RAILWAY
RAILWAY X 3955
LOOP FAP 3
FAP 3
SPUR FAP 8
FAP 388
FAI 15
BYP
STATE CAPITOL
MEMORIAL PARK
LADIES PARK
LOCKEY PARK
MONTANA
COOKE ST
LOOP
91
287
12
15



CASE STUDY

NO. 16

DRY GRAIN FARM

CHANGE IN USE OF PORTION

AT AN INTERCHANGE

INTERSTATE ROUTE 94

WIBAUX, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

LEGAL DESCRIPTION

Lot 7, Sec. 6, T 14N, R 60E, M.P.M., Wibaux County, Montana.

LOCATION

This property is located $\frac{1}{2}$ mile east of the town of Wibaux, Montana. Wibaux is the County Seat of Wibaux County, Montana and had a 1960 population of 766.

The Town of Wibaux is 29 miles southeast of Glendive, Montana and 8 miles west of Beach, North Dakota. Glendive, with a population of 7,058 is the nearest market for the subject area.

NARRATIVE DESCRIPTION OF THE PROPERTY BEFORE TAKING

Before the taking this was a 39.60 acre tract of dry cultivated land. Building improvements, located on the northwest corner of the property, included a wood frame dwelling and a few out buildings.

Access was provided by gravel surfaced county roads along the south and west sides of the property. The north-south road along the west side of the property intersected U.S. Highway No. 10 approximately 700 feet south of the subject property.

NARRATIVE DESCRIPTION OF PORTION ACQUIRED FOR RIGHT OF WAY

In May, 1961, the State acquired 5,93 acres of dry cultivated land from the southwest corner of this property for the construction of a partial interchange on Interstate Route 94.

The partial interchange included an on-ramp for east-bound traffic and an off-ramp for west-bound traffic. A second partial interchange, on the west side of the town of Wibaux, provided the complementary off and on ramps.

The county road along the south side of the property was relocated along the northerly side of the interchange. The county road along the west side of the property was perpetuated by a grade separation over the Interstate Highway.

Sufficient right of way was acquired for the construction of a four lane facility, but only the east-bound lanes were constructed, for use by two-way traffic, until such time as the traffic volume increases to the point where four lanes will be needed.

The acquisition included all rights of access between the Interstate Highway and the abutting remainder, but did not include access rights between the remainder and the relocated county road.

No improvements were taken.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER TAKING

After the taking, this property contained 33.67 acres of dry cultivated land and was improved with the same building improvements described before the taking.

It was bounded on the south and west sides by gravel surfaced county roads which connect with an Interstate Highway interchange at the southeasterly corner of the property. The county road along the west side of the property continues south of the interchange to old U.S. Highway No. 10 and is the principle means of access between the Town of Wibaux and the Interstate Highway west of Wibaux.

SALE OF A PORTION OF THE REMAINDER

In November, 1961, a two acre tract in the southwest corner of the remainder was sold for a confirmed price of $350. The sale tract has 367.5 feet of frontage on the north-south county road and approximately 260 feet of frontage on the east-west county road, north of the interchange.

The property was purchased in order to construct an agate and curio shop. However, there has been no construction started on this site.

This transaction is recorded on Page 207, Book 17 of Deeds, Wibaux County records.

SUMMARY OF APPROVED APPRAISAL

Since only a small portion of the entire remainder was involved in the sale, it is felt that a tabulation of the appraisal of the entire property would only lengthen this report without adding anything of benefit to the reader.

CHANGE IN VALUE OF PORTION SOLD

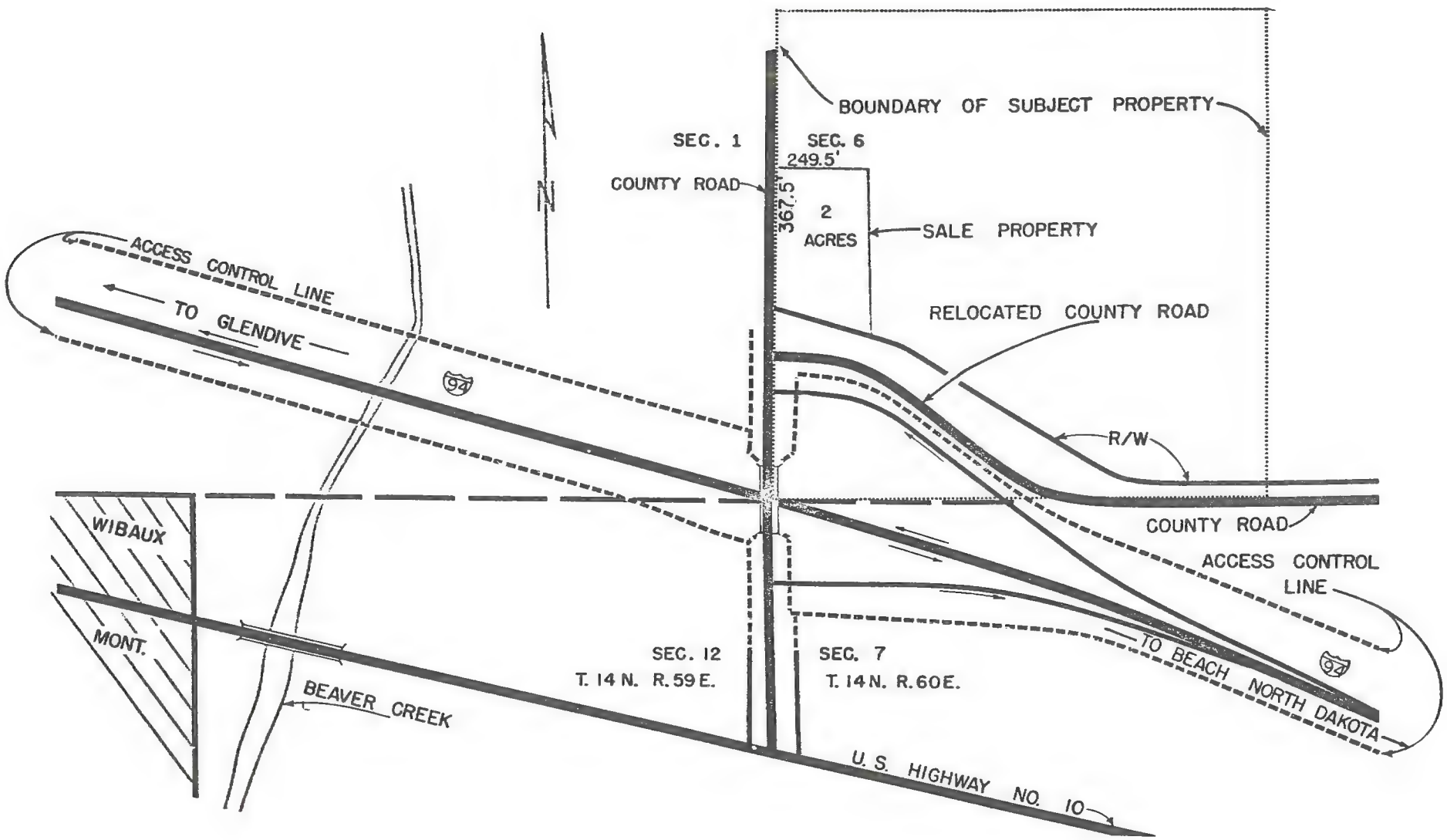
	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Sold	$130 *	$130 *
After Value of Part Sold	130 *	350
Change in Value	$ 0	+ $220
Percent Change in Value	$0 / $130 0%	$220 / $130 + 170%

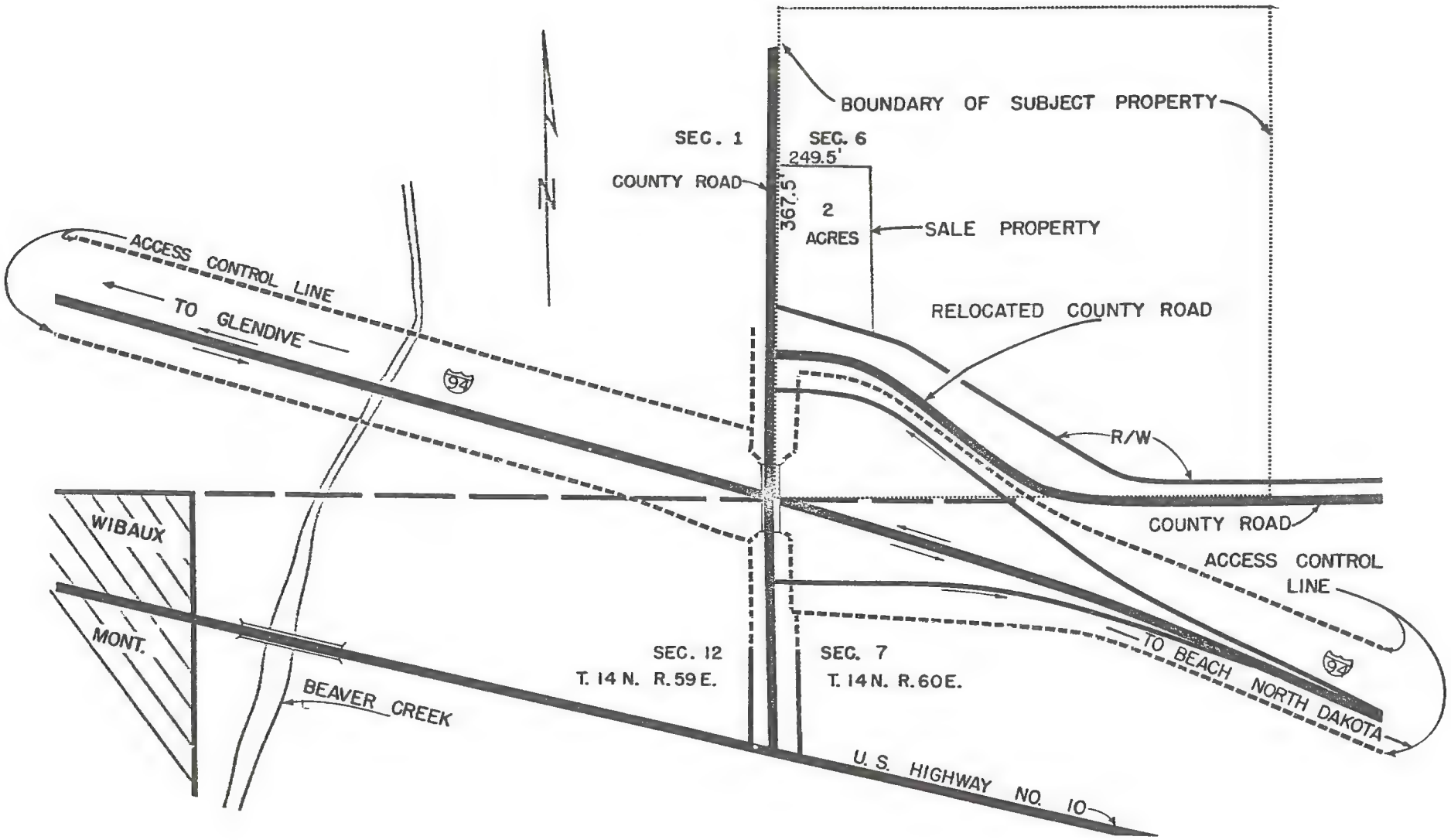
*Taken from the appraisal on the basis of the value of the two acre tract as a part of the whole property at $65 per acre.

REMARKS

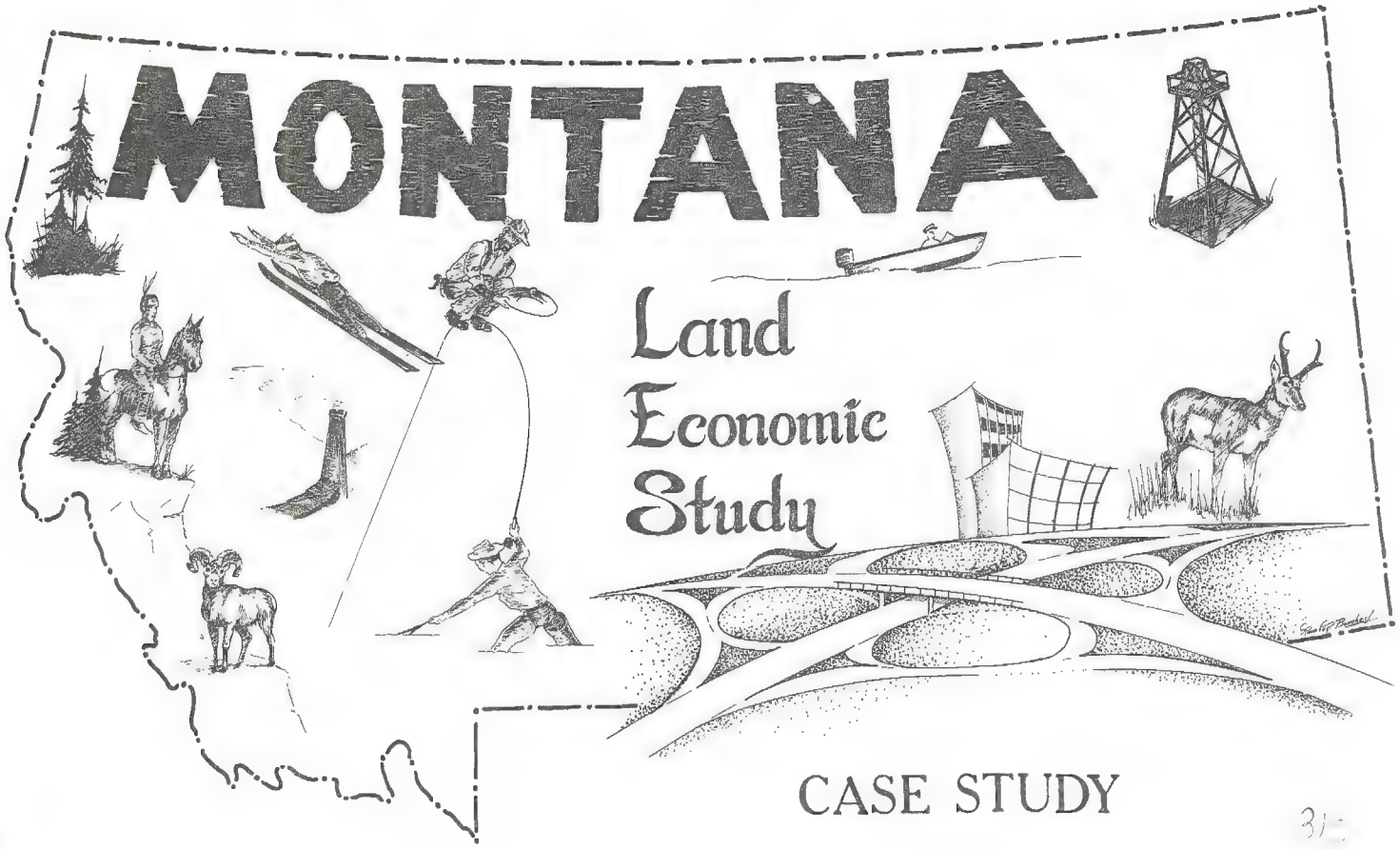
The significant thing displayed by this study is that a short time after the State's acquisition and prior to completion of the new highway, there was an anticipated change in the highest and best use of a portion of the subject property adjacent to the interchange. Since no construction has been started on the site it remains to be seen whether this property will, in fact, enjoy a higher and better use.

The fact that Wibaux is a very small community located a relatively short distance from two larger towns offering superior services, may act as a deterrent to the development of this property.


BOUNDARY OF SUBJECT PROPERTY
SEC. 1
SEC. 6
249.5'
COUNTY ROAD
367.5'
2
ACRES
SALE PROPERTY
ACCESS CONTROL LINE
TO GLENDIVE
94
RELOCATED COUNTY ROAD
R/W
COUNTY ROAD
ACCESS CONTROL LINE
WIBAUX
MONT.
SEC. 12
T. 14 N. R. 59 E.
SEC. 7
T. 14 N. R. 60 E.
TO BEACH NORTH DAKOTA
94
BEAVER CREEK
U. S. HIGHWAY NO. 10


BOUNDARY OF SUBJECT PROPERTY
SEC. 1
SEC. 6
249.5'
COUNTY ROAD
367.5'
2
ACRES
SALE PROPERTY
ACCESS CONTROL LINE
TO GLENDIVE
94
RELOCATED COUNTY ROAD
R/W
COUNTY ROAD
ACCESS CONTROL LINE
WIBAUX
MONT.
SEC. 12
T. 14 N. R. 59 E.
SEC. 7
T. 14 N. R. 60 E.
TO BEACH NORTH DAKOTA
94
BEAVER CREEK
U. S. HIGHWAY NO. 10

WIBAUX
U.S. HIGHWAY NO. 10
2 ACRE SITE



CASE STUDY

NO. 22

GRAZING LAND

SEPARATED AND ISOLATED REMAINDERS

INTERSTATE ROUTE 15

NEAR GREAT FALLS, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

LEGAL DESCRIPTION

That portion of the $N\frac{1}{2}SW\frac{1}{4}$, Section 26, T 21N, R 2E, M.P.M., Cascade County, Montana lying north of the present Vaughn-Great Falls Highway containing 72 acres, more or less. The highway mentioned in the foregoing description refers to the location of U.S. Highway 89 and 91 as it existed at the time of taking.

LOCATION

The property is located approximately four miles northwest of Great Falls, Montana on Interstate Route 15. It lies adjacent to and east of the Manchester Interchange.

The nearest urban center is Great Falls, the County Seat of Cascade County, having a population of approximately 55,000 in 1960.

NARRATIVE DESCRIPTION OF THE PROPERTY BEFORE TAKING

Before the taking this was a 72 acre tract of sloping to moderately hilly grazing land improved with the vacant concrete block building that was formerly used as a slaughterhouse, and a set of corrals with a wood frame shelter shed. The property was located adjacent to and on the northerly side of U.S. Highway 89 and 91. The distance to Great Falls was approximately four miles.

Access to the highway was unrestricted but physical access was provided at only one point on the property. The tract was also bordered by a graveled county road along its westerly boundary, but there was no physical access to this facility.

The estimated highest and best use of the property before the taking was for the land to be broken and farmed for small grain crops.

NARRATIVE DESCRIPTION OF PORTION ACQUIRED FOR RIGHT OF WAY

In September, 1958, the State acquired 18.22 acres of land from this property for the construction of Interstate Route 15 which included an interchange to be constructed at the County Road on the west property line. There were no improvements included in the acquisition, but the corrals required rearrangement in order to retain their utility. The acquisition included all rights of direct access to the new highway.

The taking ran diagonally in a southeast to northwest direction across the northerly part of the property leaving remainders on both sides. The existing highway was retained as a frontage road serving the southerly remainder. The northerly remainder was to be provided with access by means of a frontage road to be constructed along the northerly right of way line between the remainder and the interchange. A change in ownership of the entire property prior to construction of the new highway eliminated the need for this frontage road and it was never built.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER THE TAKING

After the taking, the property contained 53.78 acres of land and the same improvements described before the taking. The northerly remainder was a triangular shaped tract containing 11.77 acres. The southerly remainder contained 42.01 acres

and the improvements.

The corrals abutted the southerly right of way line and the concrete block building was located approximately 100 feet south of the right of way line and about 12 feet below the grade of the highway.

The southerly remainder is located on a frontage road (the old highway) which connects with interchanges near Great Falls and near the community of Vaughn approximately three miles east and three miles west respectively from the subject property, as well as to the interchange at the west line of the property.

According to the State's appraisal, the estimated highest and best use of the property after the taking remained the same as before the taking.

SALE OF THE REMAINDER

In December, 1958, the entire remainder was sold on a contract for a deed to the abutting owner to the north and east for a confirmed price of $8,500. The contract is recorded on Page 237, Book 284 of Deeds and the deed is recorded on Page 107, Book 317 of Deeds, Cascade County Records.

In an interview with the buyer, he advised that the price he was willing to pay for the property was influenced by its location with respect to the interchange and its nearness to Great Falls with the possibility of selling the property for uses other than agricultural. As will be seen in the following transaction, it appears that the improvements contributed little or nothing to the sale price.

Six months later, in June, 1959, the buyer sold the improvements and a 3.89 acre site to a construction firm for $500. This transaction is recorded on Page 273, Book 289 of Deeds.

He reported that the buyer in this transaction was a personal friend and that he offered to give the property to the firm as a gift. However, the construction company insisted on paying the $500 consideration.

The construction company further improved the property with additional buildings between 1959 and 1962, using the property for their office, shops and storage yard. The concrete block building was used for storage and the corrals were not used for any purpose. It is reported that this firm encountered financial problems and the property was sold again in May, 1962 to another construction company for a confirmed price of $15,000. This transaction is recorded on Page 65, Book 324 of Deeds.

Certain aspects of the last two sales leaves some doubt that they are representative of fair market transactions so they will not be considered in the following analysis of value.

The remainder of the property acquired in the first sale was vacant and not being put to any use at the date of investigation in September, 1964.

SUMMARY OF APPROVED APPRAISAL

BEFORE VALUE:			
Land	60 Ac. @ $73	$ 4,380	
	12 Ac. @ $23	276	
Improvements	Conc. Block Bldg.	4,250	
	Corrals and Shed	859	
	Well	550	
		TOTAL BEFORE VALUE	$10,315
AFTER VALUE:			
Land	30.01 Ac. @ $73	$ 2,190	
	11.77 Ac. @ Lump Sum	688	
	12.00 Ac. @ $23	276	
Improvements	Conc. Block Bldg.	4,250	
	Corrals and Shed	724	
	Well	550	
		TOTAL AFTER VALUE	$ 8,678
		TOTAL COMPENSATION	$ 1,637
VALUE OF PART TAKEN:			
Land	18.22 Ac. @ $73	$ 1,330	
		TOTAL	$ 1,330
		REDUCTION IN VALUE OF PART NOT TAKEN	$ 307

Value of Property Before Taking	$10,315
Value of Part Taken	1,330
BEFORE VALUE OF PART NOT TAKEN	$ 8,985

Note - Due to the short interval between the State's acquisition and the sale of the remainder, it is not necessary to adjust the appraisal for changing market conditions.

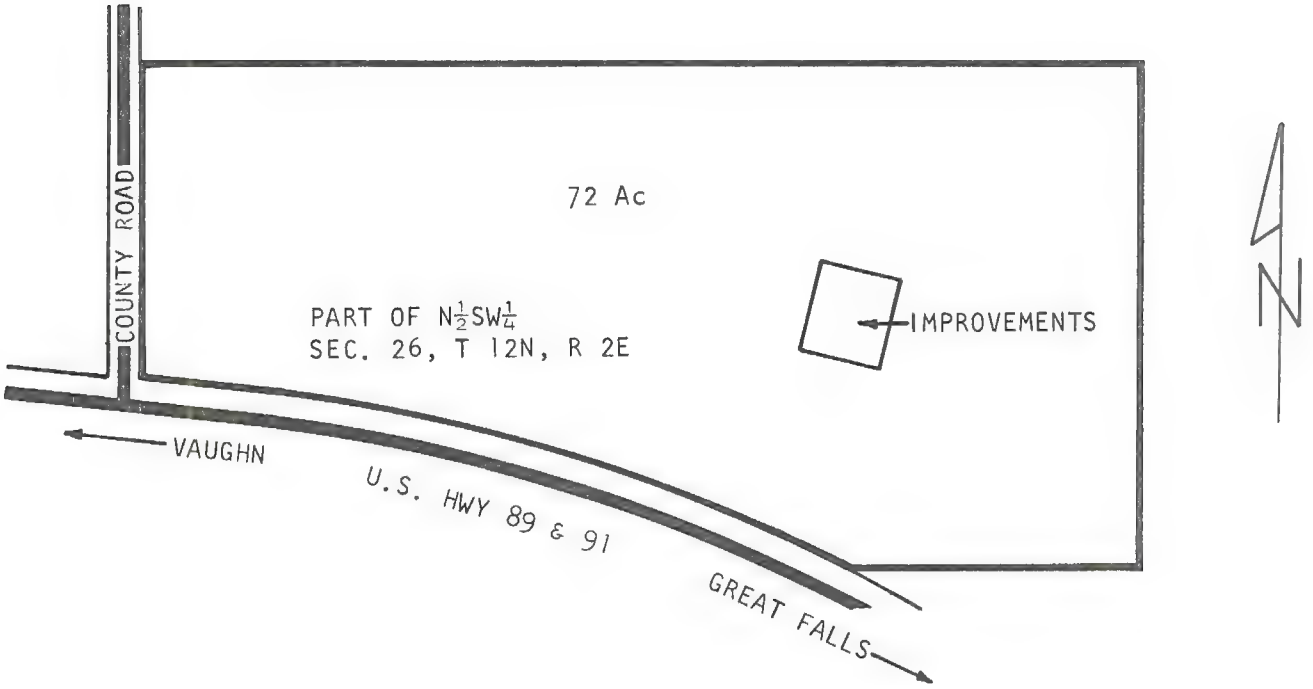
CHANGE IN VALUE OF PART NOT TAKEN

	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Not Taken	$ 8,985	$ 8,985
After Value of Part Not Taken	8,678	8,500
Change in Value of Part Not Taken	- $ 307	- $ 485
Percent Change in Value	$307 / $8,985	$485 / $8,985
	- 3%	- 5%

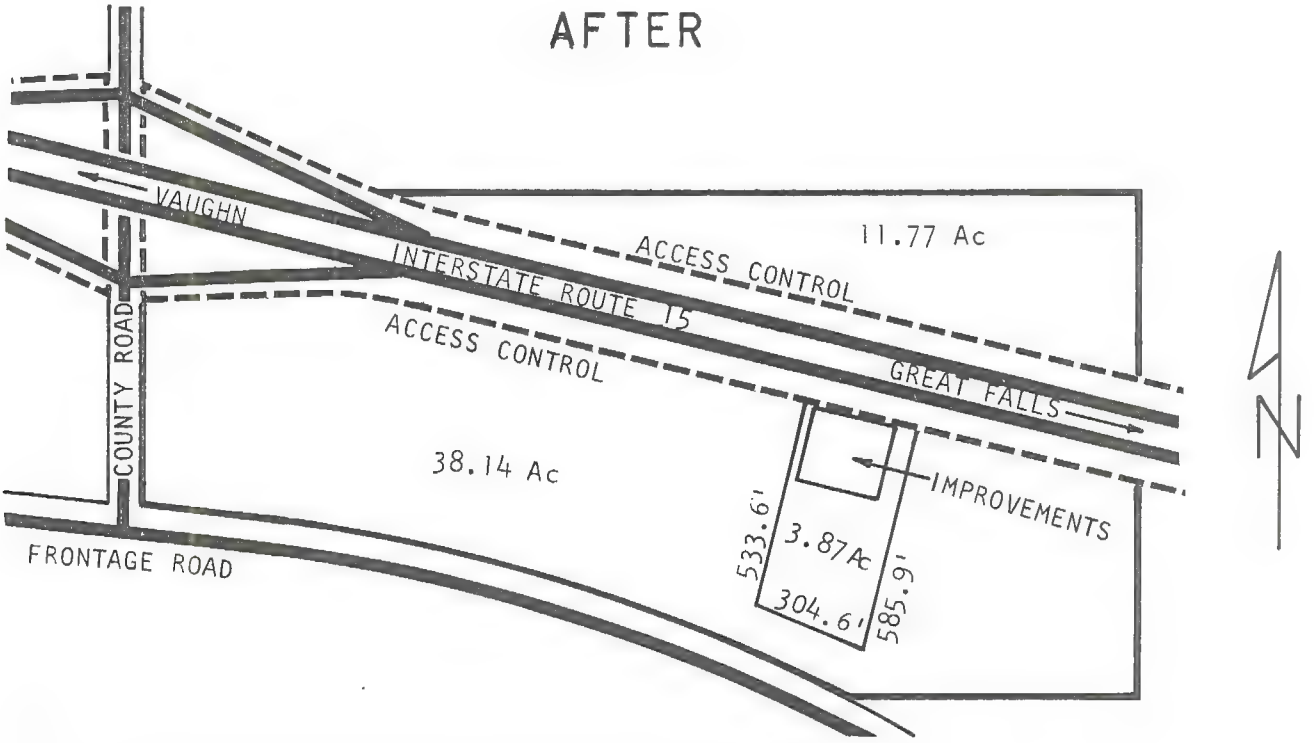
REMARKS

It is obvious that the appraisal was substantially correct as regards the total estimated after value. However, the owner's statements and the fact that he practically gave the improvements away tends to indicate that the construction of the new highway and the interchange resulted in at least a potential change in highest and best use of the land with an accompanying change in the relationship of the value of the land and improvements. It does not seem likely that the buyer would have been willing to give the improvements away, even to a friend, if he felt that they had the value indicated by the appraisal. It is, therefore, concluded that value of the land was enhanced by the new highway and that the value of the buildings was diminished in a nearly equal amount.

BEFORE



AFTER

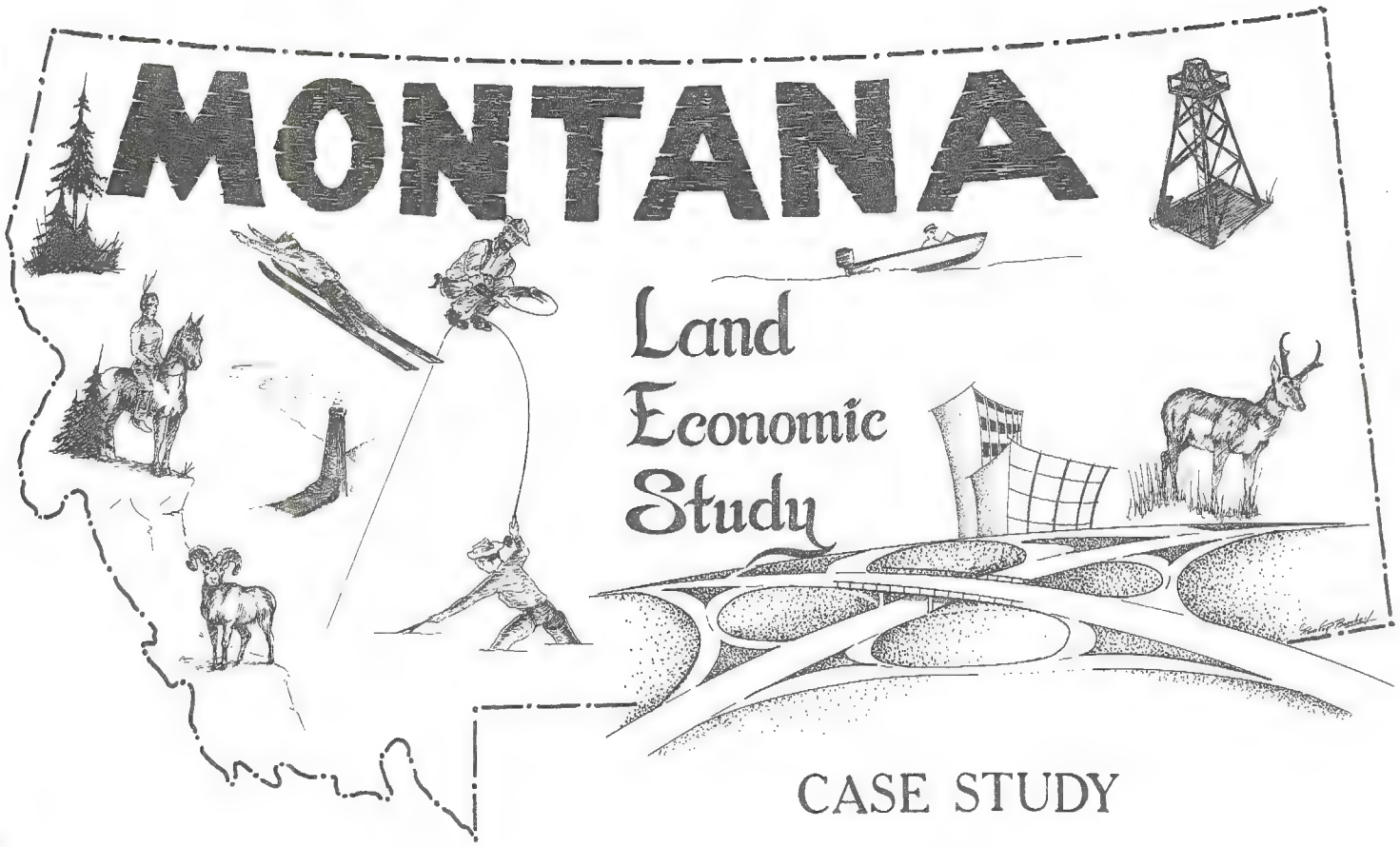


NOTE - FIRST SALE INCLUDED ENTIRE 53.78 Ac REMAINDER
SECOND AND THIRD SALES INVOLVED THE 3.87 Ac. TRACT.

BEFORE

PHOTOGRAPH NOT AVAILABLE

AFTER



CASE STUDY

NO. 23

RESIDENTIAL PROPERTY

RESTRICTED ACCESS
and

CHANGE IN USE NEAR INTERCHANGE

INTERSTATE ROUTE 90

MISSOULA, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

LOCATION

The subject property is located on the northwesterly side of Van Buren Street, 150 feet northeast of Broadway Street in Missoula, Montana. Missoula, the County Seat of Missoula County, had a population of 27,090 in 1960.

The property is zoned industrial but permits commercial uses such as service stations.

NARRATIVE DESCRIPTION OF THE PROPERTY BEFORE THE TAKING

Before the taking the property contained 15,890 square feet and was improved with two single family rental dwellings, a two-story dwelling which had been remodeled into a four unit apartment house, two storage sheds and a garage. The buildings were all old and in fair to poor condition.

The property was at grade level with, and had approximately 90 feet of frontage on Van Buren Street and a depth of 140 feet.

The property had direct physical access to Van Buren Street and to an alley at the rear of the property. Van Buren Street and the alley intersected Broadway Street 150 feet southwest of the subject property. Broadway Street was also U. S. Highway No. 10, and is the main east-west street through the city of Missoula.

The subject property is bounded on the northeast by the Northern Pacific Railway Company's right of way. The railroad tracks are approximately 130 feet northeast of the property and are on a 14 foot fill above the property.

Although the property was zoned for industrial use and being used for residential purposes, the highest and best use was estimated to be commercial.

NARRATIVE DESCRIPTION OF PORTION ACQUIRED FOR RIGHT OF WAY

In November 1963, the State acquired the front 40 feet of the subject property for the purpose of widening Van Buren Street. The acquisition included 3,760 square feet of land, the converted apartment house, and all rights of direct access to Van Buren Street. Van Buren Street is being reconstructed as a four-lane divided street between Broadway Street and an interchange on Interstate Route 90 approximately 300 feet north of the subject property.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER THE TAKING

After the taking the property contained 12,130 square feet with about 103 feet of frontage on Van Buren Street and a depth of 100 feet. Remaining improvements consisted of the two rental dwellings, two sheds and a garage. The remainder will be approximately five feet above the grade of Van Buren Street when completed and will have no direct access to this facility. Direct access to the remainder is limited to the alley at the rear.

Zoning remains the same as before the taking and as noted previously, commercial development is permitted.

The highest and best use of the property after the taking was considered to be for limited,commercial or industrial uses.

SALE OF THE REMAINDER

In January 1964, the entire remainder was sold to a partnership. One of the partners had owned the property previously and both he and the seller advised that he took the property back as a matter of convenience to the seller since the intended use of the property as a motel site had been destroyed by the State's acquisition. Neither party revealed the sale price but this is not believed to be of significant importance since the sale was not a fair market transaction.

In July of 1964, the entire remainder was sold again. This time it was purchased by the abutting owner to the southwest at a confirmed price of $10,000. This transaction is recorded on Page 418, Book 235 of Deeds, Missoula County Records.

At the time of the State's acquisition, the buyer owned the corner properties on both sides of Van Buren Street north of Broadway Street. The property on the east side of Van Buren Street was improved with a service station which was acquired by the State. He is building a new service station on the west side of Van Buren Street south of the subject property.

A real estate broker had contacted the buyer and told him that another party was interested in the property. Apparently the other party planned to erect a large advertising sign that would be detrimental to the buyer's interests, so he purchased the property in order to control its use and for the possibility of future development in conjunction with the new service station.

Subsequent to the sale the buyer had the buildings razed and the property re-leveled. He managed to have the leveling work done by the State's contractor at no expense to him in return for a temporary encroachment on the property for the purpose of constructing a railroad shoo-fly line during the reconstruction of a railroad overpass.

SUMMARY OF APPROVED APPRAISAL

BEFORE VALUE:

Land - 15,890 Sq. Ft. @ $1.16	$18,500	
Improvements - No Value	000	
	TOTAL BEFORE VALUE	$ 18,500

AFTER VALUE:

Land - 12,130 Sq. Ft. @ $0.40	$ 4,850	
Improvements - No Value	000	
	TOTAL AFTER VALUE	$ 4,850
	TOTAL COMPENSATION	$ 13,650

TOTAL COMPENSATION	$ 13,650

VALUE OF PART TAKEN:

Land - 3,760 Sq. Ft. @ $1.16	$ 4,375	
Improvements - No Value	000	
TOTAL		$ 4,375
REDUCTION IN VALUE OF PART NOT TAKEN		9,275
Value of Property Before Taking	$ 18,500	
Value of Part Taken	4,375	
Before Value of Part Not Taken	$ 14,125	

CHANGE IN VALUE OF PART NOT TAKEN

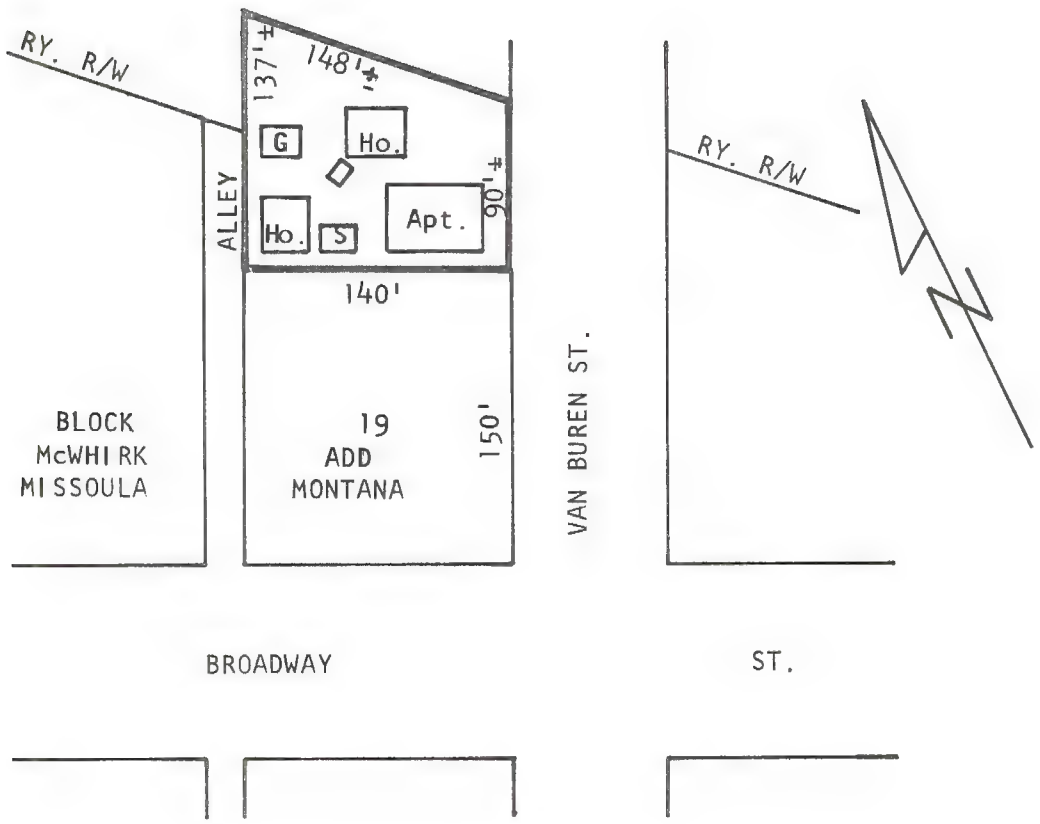
	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Not Taken	$ 14,125	$ 14,125
After Value of Part Not Taken	4,850	10,000
Change in Value of Part Not Taken	-$ 9,275	-$ 4,125
Per Cent Change in Value	$ 9,275 / $ 14,125 -66%	$ 4,125 / $ 14,125 -29%

REMARKS

The remainder did experience reduction in value because of the loss of street access and the resulting limitation of utility, but the loss was not nearly as great as might be expected.

It appeared that the market for the property was fairly well limited to the one adjoining ownership which had frontage on, and access to, a primary street. However, there was an outside market for the property and there is no doubt that this is the reason the loss in value was not greater.

BEFORE



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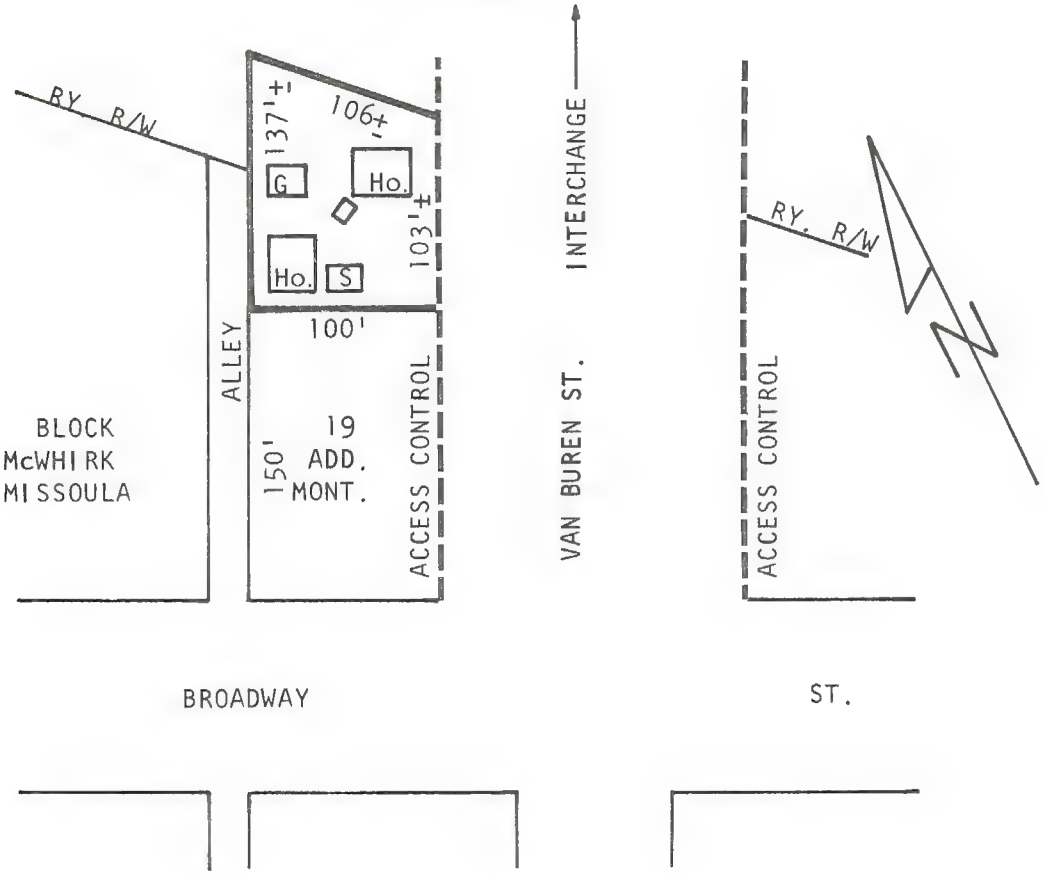

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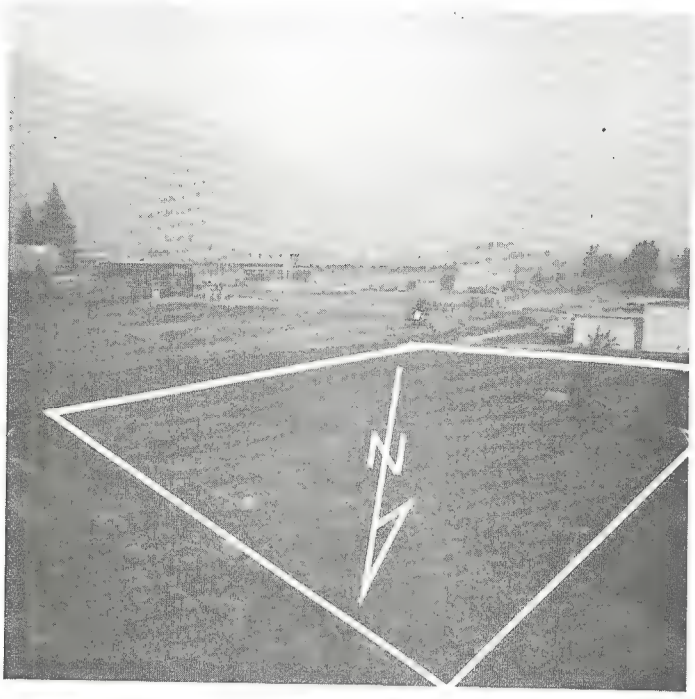

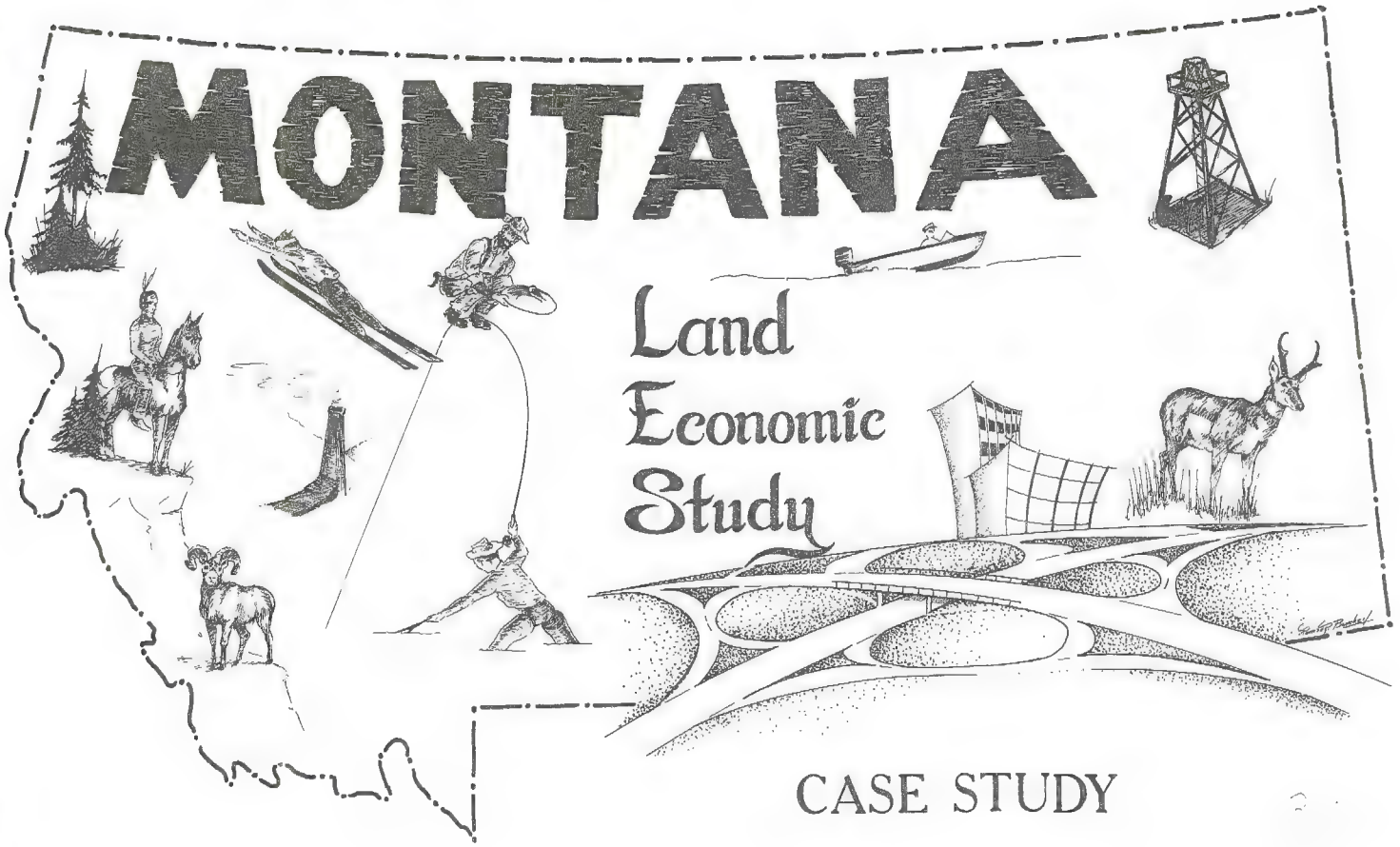

CASE STUDY

NO. 24

RESIDENTIAL PROPERTY

REDUCTION IN SIZE

INTERSTATE ROUTE 15

EAST MISSOULA, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

LOCATION AND ZONING

The subject property is located at 133 Speedway Avenue in East Missoula, Montana. East Missoula is a suburb located approximately one and one half miles east of the city of Missoula on U.S. Highway No. 10. The suburb is not incorporated nor are there any zoning regulations.

The City of Missoula, the County Seat of Missoula County, had a population of 27,090 people in 1960.

NARRATIVE DESCRIPTION OF THE PROPERTY BEFORE THE TAKING

Prior to the State's acquisition this property contained 4,920 square feet of land, having 41 feet of frontage on Speedway Avenue, and a depth of 120 feet. Improvements consisted of a small one-bedroom single family dwelling, a one-car garage, a small cabin, and the site improvements consisting of trees, shrubs and lawn.

The site was level and at even grade with Speedway Avenue which is a paved street. The property had direct physical access to Speedway Avenue and to an alley at the rear of the property.

Highest and best use of the property before the taking was estimated to be residential.

NARRATIVE DESCRIPTION OF PORTION ACQUIRED FOR RIGHT OF WAY

In January, 1964, the State acquired the southeasterly half of the subject property for the construction of Interstate Route 90. The taking consisted of 2,460 square feet of land, all of the building improvements, and all rights of direct access to the new facility. The right of way and access control line ran diagonally across the middle of the property.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER THE TAKING

After the taking the subject property was a vacant, 2,460 square foot site, having 41 feet of frontage on Speedway Avenue and 57.3 feet of frontage on the new highway. The southwesterly side line of the property was forty feet long and the northeasterly side line was 80 feet long, so that the average depth of the property was 60 feet.

The remainder was level and on grade with Speedway Avenue. The nearest traffic lane of the Interstate Highway will be an off ramp leading to an interchange approximately 800 feet west of the subject property. The remainder is at grade level with the ramp road. The remainder will be three feet to four feet below the grade of the nearest main traffic lane which will be about 60 feet southwest of the property.

The traveling distance from the subject property to the interchange will be approximately 0.2 of a mile and the traveling distance to the City of Missoula will remain approximately the same as before the taking.

The property had direct physical access to Speedway Avenue but had no direct

physical access to the new facility.

Because of its size and shape, the highest and best use of the remainder was estimated to be for additional lawn and garden space for the adjoining property on the northeast.

SALE OF THE REMAINDER

In February, 1964, the entire remainder was sold to the adjoining owner on the northeast for a confirmed price of $321. This transaction is recorded on Page 59, Book 233 of Deeds, Missoula County Records.

The buyer whose garage and the small amount of land had been acquired by the State, has built a new two-car, frame garage on the subject remainder.

SUMMARY OF APPROVED APPRAISAL

BEFORE VALUE:		
Land - 4,920 Sq. Ft. @ $ 0.135	$ 660	
Improvements - Dwelling	3,680	
Garage	110	
Cabin	300	
Site Improvements	250	
TOTAL BEFORE VALUE		$ 5,000
AFTER VALUE:		
Land - 2,460 Sq. Ft. @ $ 0.025	$ 60	
Improvements - Site Improvements	40	
TOTAL AFTER VALUE		$ 100
TOTAL COMPENSATION		$ 4,900
VALUE OF PART TAKEN:		
Land - 2,460 Sq. Ft. @ $ 0.135	$ 330	
Improvements - Dwelling	3,680	
Garage	110	
Cabin	300	
Site Improvements	30	
TOTAL		$ 4,450
REDUCTION IN VALUE OF PART NOT TAKEN		$ 450
Value of Property Before Taking	$ 5,000	
Value of Part Taken	4,450	
BEFORE VALUE OF PART NOT TAKEN	$ 550	

CHANGE IN VALUE OF PART NOT TAKEN

	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Not Taken	$ 550	$ 550
After Value of Part Not Taken	100	321
Change in Value of Part Not Taken	- $ 450	- $ 229
Percent Change in Value	$450 / $550 -82%	$229 / $550 -42%

REMARKS

As predicted by the appraiser the highest and best use of the remainder was in conjunction with the adjoining property, but it has been put to a better use than the expansion of lawn and garden area. In fact, it appears that the remaining site improvements contributed little or nothing to the after value and that the sale price could be attributed to the land only. Since the "Before Value of the Land Not Taken" would be $330, it appears that the remaining land was not reduced in value even though its size and shape severely limited its utility.

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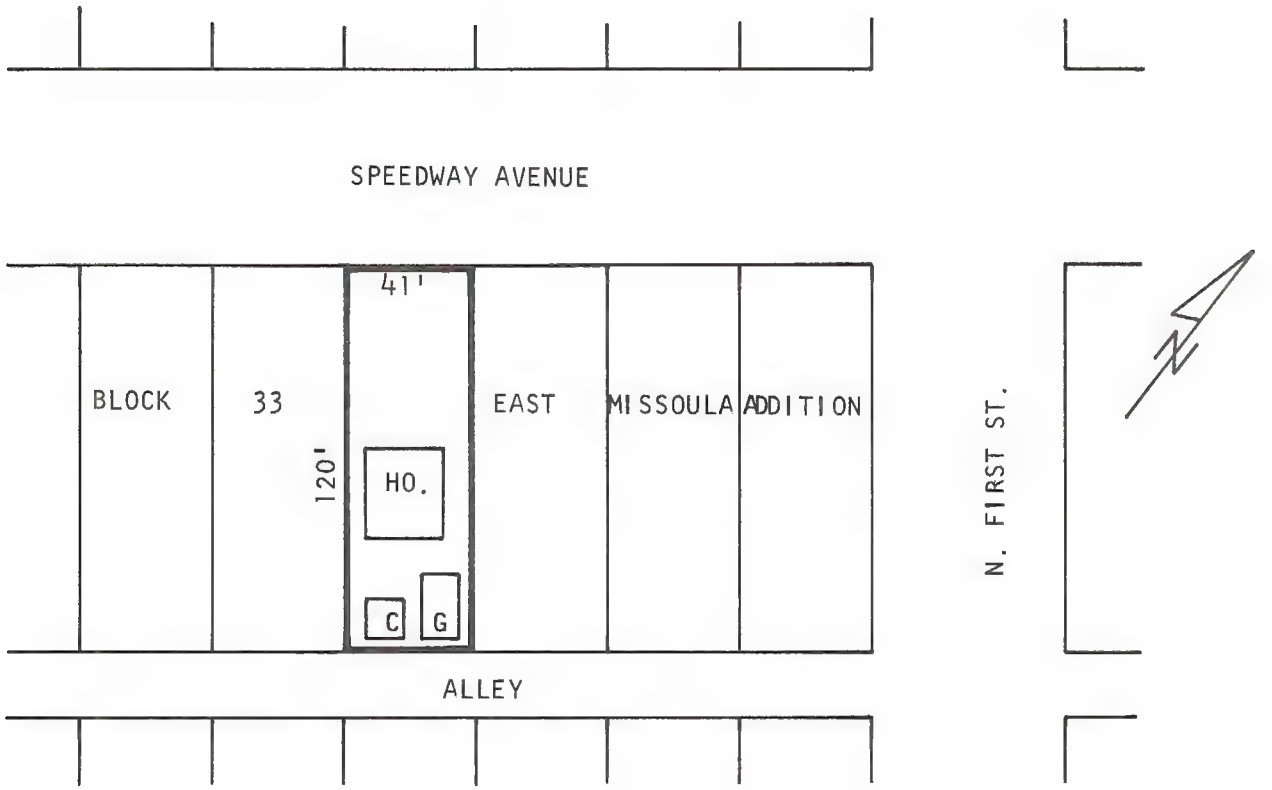

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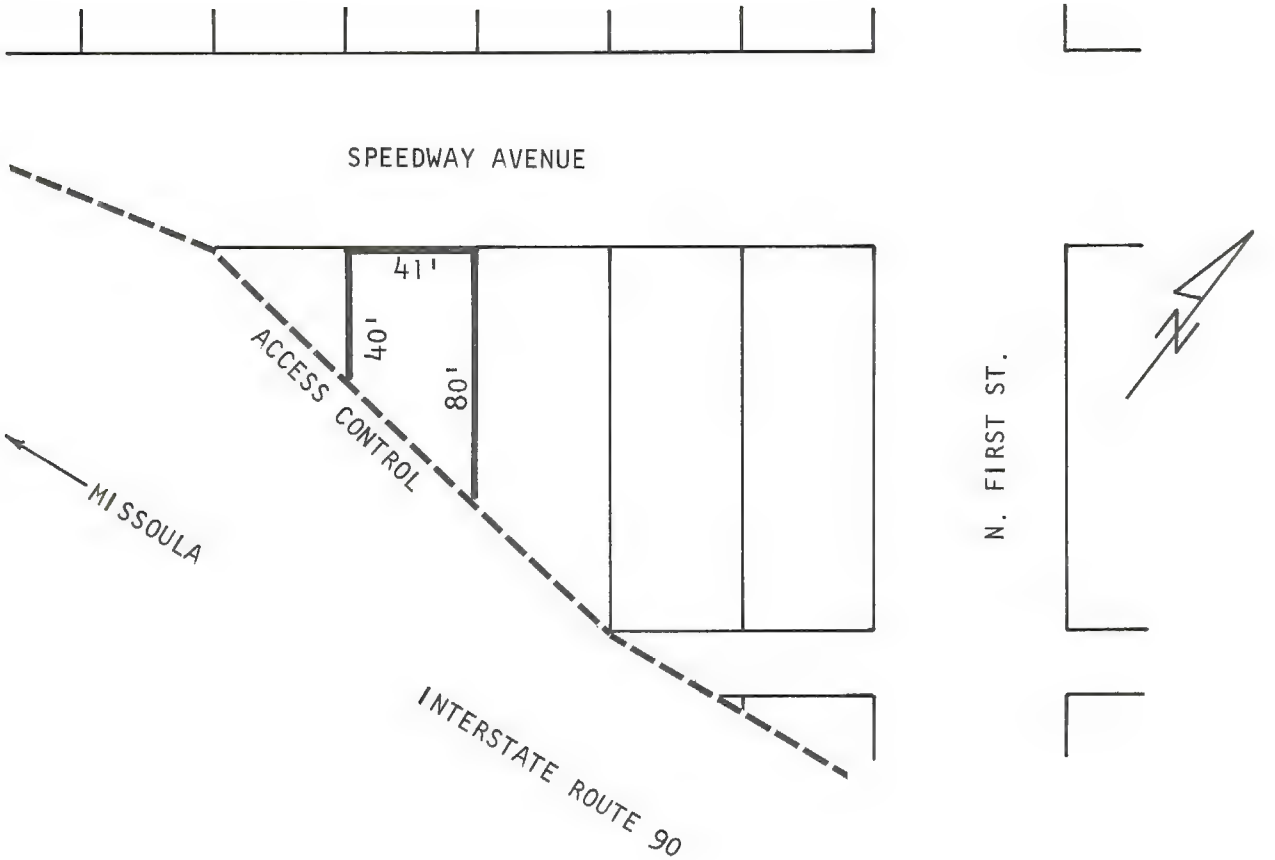

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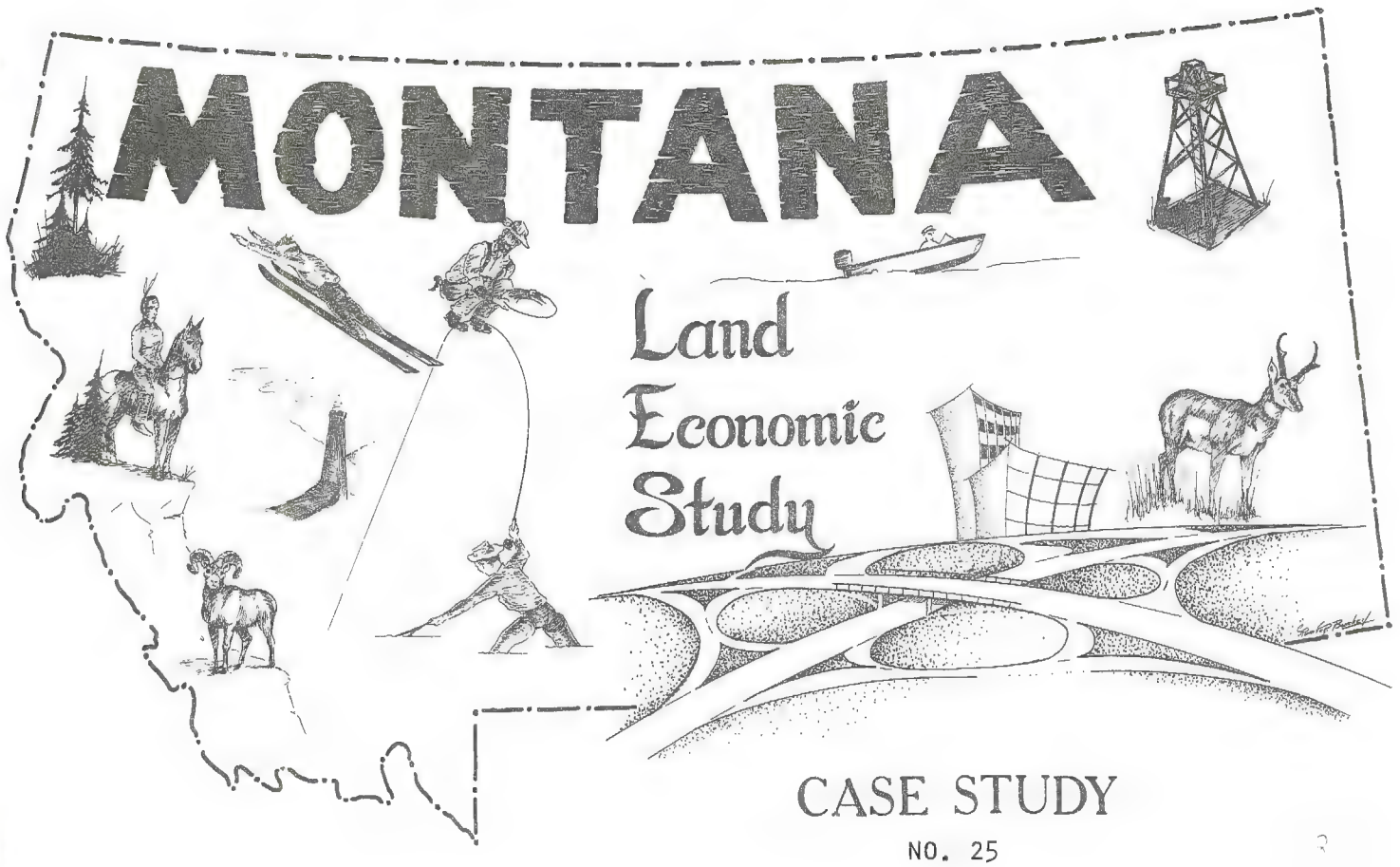

CASE STUDY

NO. 25

IRRIGATED FARM

CHANGE IN USE OF PORTION

NEAR INTERCHANGE

INTERSTATE ROUTE 90

LAUREL, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

LOCATION

The subject property is located south of and adjacent to the southerly city limits of the town of Laurel, in Yellowstone County, Montana. It is also adjacent to and east of U.S. Highway No. 212 and 310. Laurel is located fifteen miles southwest of Billings, the County Seat of Yellowstone County. Laurel had a 1960 population of 4,601 and Billings had a 1960 population of 52,851.

NARRATIVE DESCRIPTION OF THE PROPERTY BEFORE THE TAKING

Before the taking the subject property contained 127.88 acres of irrigated crop land. The building improvements were old and in poor condition and contributed very little to the value of the property.

The property was bounded on the west by U.S. Highway No. 212 and 310, on the north by an oiled county road, and on the east by a graveled county road. The property was level and at even grade with the roads. At grade approaches provided direct physical access to each road.

The westerly 28 acres of the property fronting on U.S. Highway 212 and 310 was platted into lots and blocks but the entire ownership was cultivated and being farmed.

The highest and best use of the portion fronting on the primary highway to a depth of 250 to 300 feet was estimated to be commercial and the highest and best use of the remainder was estimated to be farm land with some potential for industrial development in the future.

NARRATIVE OF PORTION ACQUIRED FOR RIGHT OF WAY

In December, 1962, the State acquired 23.46 acres of land from the subject property for the construction of Interstate Route 90 between Laurel and Billings. The new construction included an interchange at U.S. Highway 212 and 310. Plans called for the widening of U.S. Highway 212 and 310 into a four lane divided highway for a short distance north and south of the interchange. The taking included all rights of direct access to the Interstate Highway, but did not include rights of access to Highway 212 and 310.

The taking for the Interstate Highway ran in a southwest to northeast direction across the southerly portion of the property leaving remainders on each side of the new facility.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER THE TAKING

After the taking the property contained a total of 104.42 acres with 77.38 acres lying north of the Interstate Highway and 27.04 acres lying south of the new highway.

Although there was no legal restriction of access between Highway 212 and 310 and the remaining 390 feet of frontage on this highway, the State did not provide approach facilities and it will be up to the property owner to provide whatever road approaches will be required in the future. The remainders have direct physical access to the abutting county roads on the north and east but access to the

southerly remainder is by a more circuitous route than before.

The improvements remain the same as before the taking, contributing only salvage value to the property.

The estimated highest and best use of the remaining 390 feet of frontage on Highway 212 and 310 north of the interchange remains commercial, and the highest and best use of the balance of the northerly remainder was estimated to be agricultural with some potential for future industrial development. Due to problems encountered in farming the southerly remainder, the highest and best use of this area was estimated to be as irrigated pasture with the remote possibility of industrial development at some time in the future.

SALE OF A PORTION OF THE REMAINDER

In October, 1962, a 1.67 acre tract having 300 feet of frontage on Highway 212 and 310, and a depth of 245 to 295 feet was sold to a real estate broker for a confirmed price of $10,000. The building improvements were included in the sale. This transaction is recorded on Page 622, Book 751 of Deeds, Yellowstone County Records.

According to the buyer, he acquired the property for speculative purposes. He was certain that its location with respect to the interchange and the town of Laurel would result in a rapid increase in value. The improvements did not contribute to the sale price.

It will be noted that the sale took place prior to the date of the State's acquisition. However, the State had been negotiating for the acquisition of the property for several months and had filed a condemnation action prior to the sale. The buyer was completely familiar with the State's plans. In view of this, the transaction is considered to be a bonafide after sale.

In June, 1963, the northerly 150 feet of the above tract was resold to a major oil company for a confirmed price of $15,000. This tract has 150 feet of frontage on Highway 212 and 310 and a depth of 125 to 145 feet and contains an area of 0.46 of an acre. This sale is recorded on Page 108, Book 768 of Deeds, Yellowstone County Records.

The site was acquired for a service station but construction had not been started as of the date of investigation in October, 1964.

Since the median divider strip ends south of this site, the property will be accessible to both north and south bound traffic.

SUMMARY OF APPROVED APPRAISAL

Since only a small portion of the entire remainder is involved in the sales, a tabulation of the State's appraisal of the entire property would contribute nothing to this report.

The State's appraiser estimated that the tract involved in the first sale had a value of $21 per front foot before the taking and before discounting for overhead and profit.

The second sale will have to be adjusted because it is only half the depth of the first sale. The comparable sales used by the State's appraiser indicates that the second sale tract had a value of approximately $16.00 per front foot before the taking and before discounting for overhead and profit.

The appraiser estimated that the value of the highway frontage would not be affected by the acquisition. Therefore, the $21 and $16 per front foot unit value will be used as the basis for the "BEFORE VALUE OF PART NOT TAKEN", in the following comparisons.

CHANGE IN VALUE OF PART NOT TAKEN

FIRST SALE - 300 front feet:

	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Not Taken	$ 6,300	$ 6,300
After Value of Part Not Taken	6,300	10,000
Change in Value of Part Not Taken	$ 0	+ $ 3,700
Percent Change in Value	$ 0 / $6,300 -0%	$3,700 / $6,300 +58%

SECOND SALE - 150 Front Feet:

	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Not Taken	$ 2,400	$ 2,400
After Value of Part Not Taken	2,400	15,000
Change in Value of Part Not Taken	$ 0	+ $12,600
Percent Change in Value	$0 / $2,400 0%	$12,600 / $2,400 +525%

REMARKS

As in previous case studies, this report shows a large increase in the value of highway frontage in the vicinity of an interchange. This appears to be particularly true of properties located so that they can take full advantage of traffic coming from an off-ramp as opposed to locations limited to traffic approaching an on-ramp.

While the changes in value displayed by the sales cannot be considered applicable to the entire remainder, the fact that there was such a sharp increase in the value of the commercial frontage would probably have some influence on what the market would be willing to pay for the entire remainder in a single sale.

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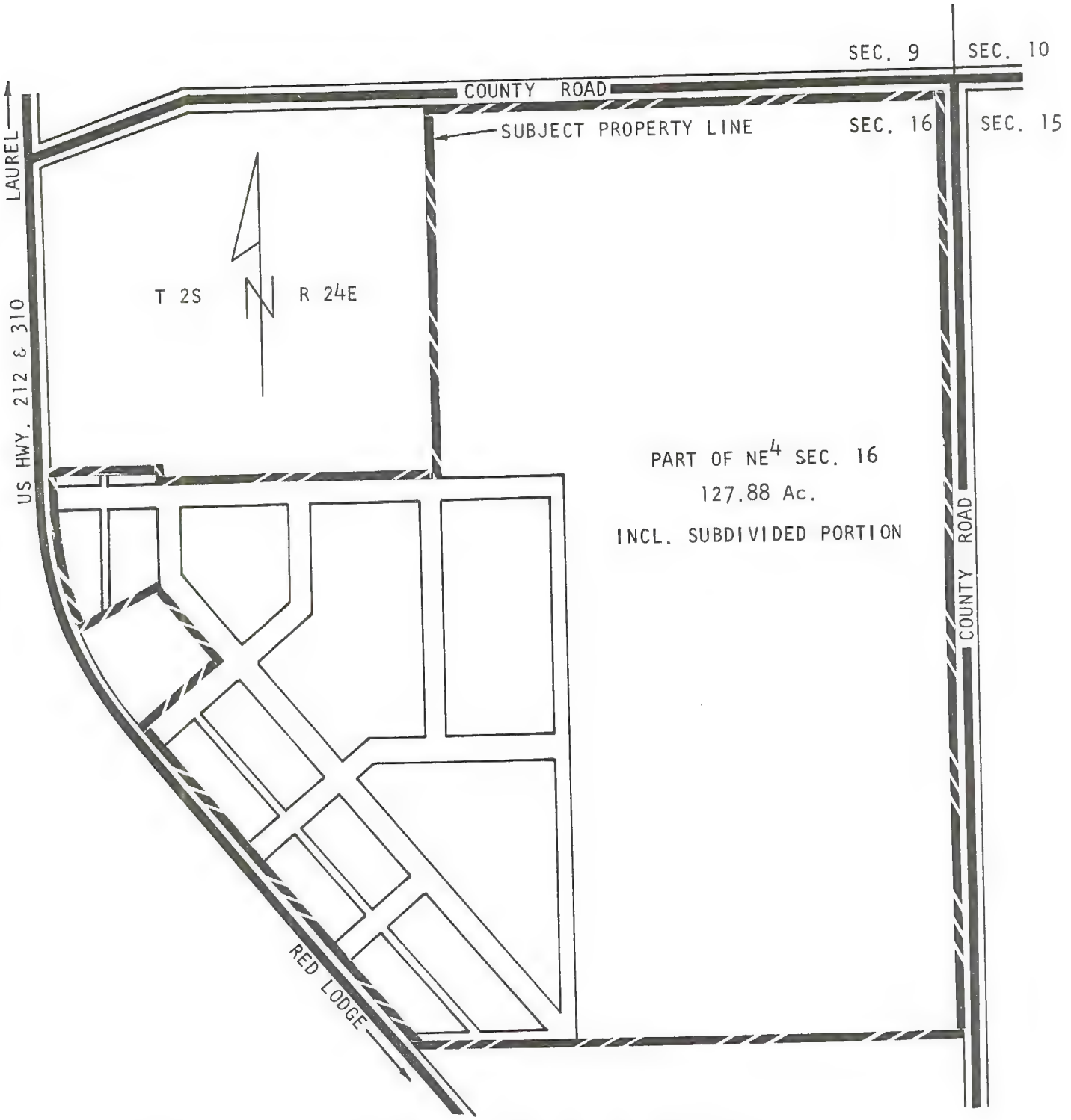
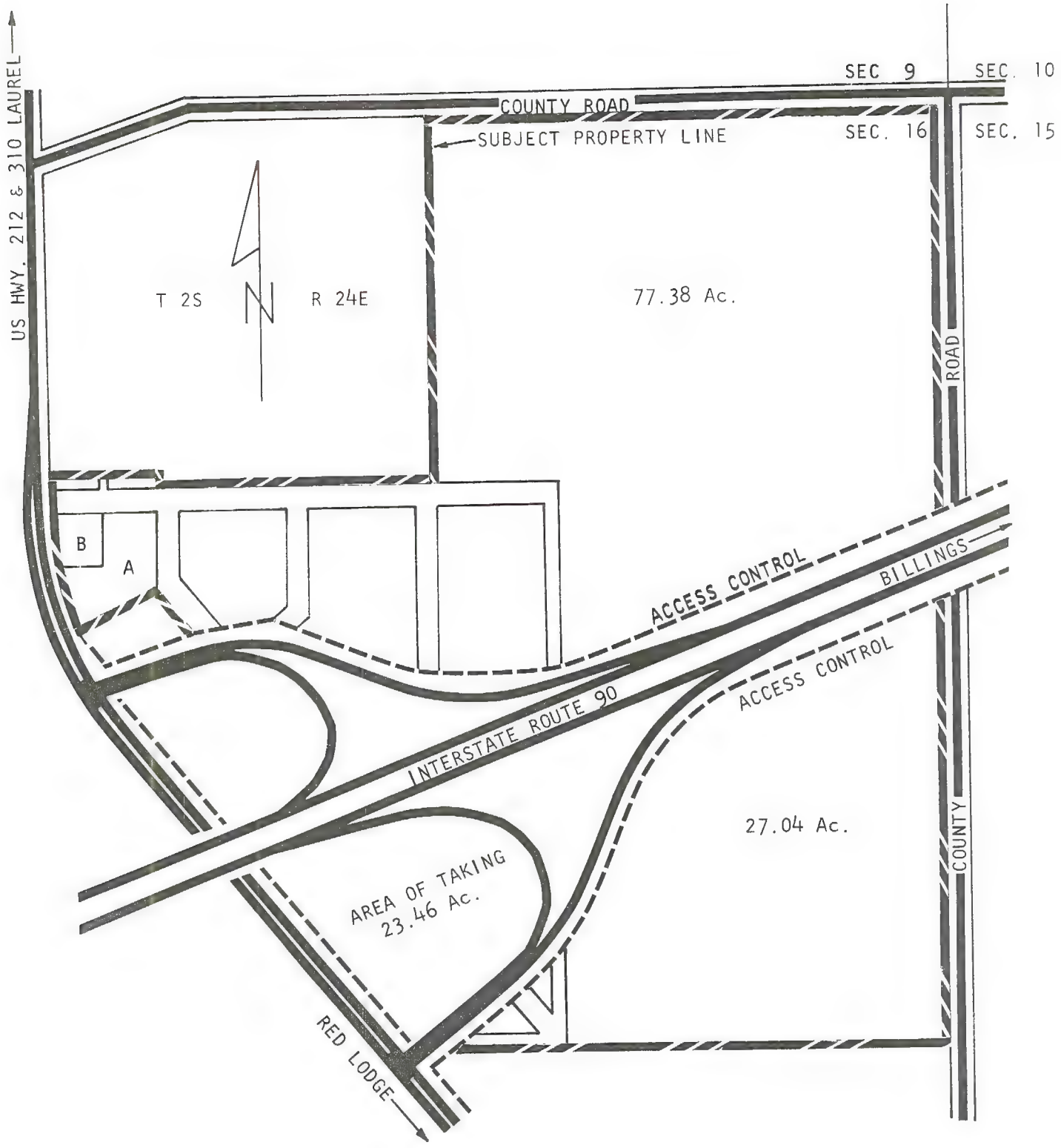


NOTE - SUBDIVIDED PORTION WAS PLATTED BUT NOT DEVELOPED.

AFTER



NOTE - FIRST SALE INCLUDED TRACTS A & B.
SECOND SALE INVOLVED TRACT B ONLY.

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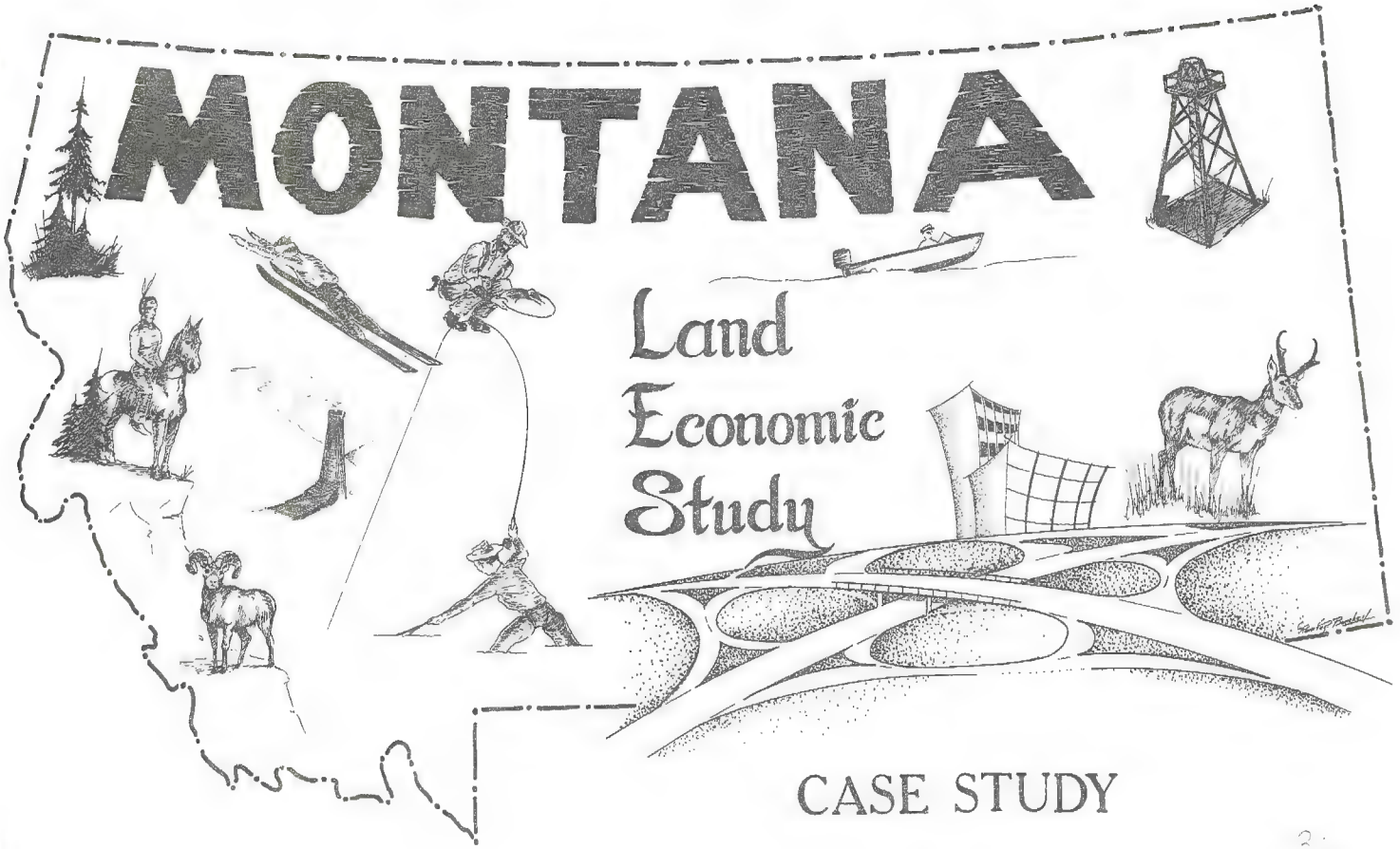

CASE STUDY

NO. 26

IRRIGATED FARM

SEPARATED AND ISOLATED REMAINDERS

INTERSTATE ROUTE 90

NEAR LAUREL, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

LOCATION

The subject property is located south of and adjacent to the southerly city limits of the Town of Laurel in Yellowstone County, Montana and is one-half mile east of U.S. Highway No. 212 and 310. Laurel, which had a 1960 population of 4,601, is 15 miles southwest of the City of Billings. Billings is the County Seat of Yellowstone County and had a 1960 population of 52,851.

NARRATIVE DESCRIPTION OF THE PROPERTY BEFORE THE TAKING

Before the taking, this property contained 79.7 acres of irrigated crop land. The building improvements, located at the southwest corner of the property, consisted of a dwelling, a barn, a machine shed, and several other miscellaneous farm buildings.

The property had direct physical access to graveled county roads along its east and west boundaries and to an oiled county road along its north boundary. The oiled county road intersected U.S. Highway 212 and 310, one-half mile west of the northwest corner of the subject property. The land was level and at-grade with the abutting county roads.

The highest and best use of the property was estimated to be an irrigated farm unit.

NARRATIVE DESCRIPTION OF PORTION ACQUIRED FOR RIGHT OF WAY

In 1963, the State condemned 15.82 acres of land, the barn, and three miscellaneous farm buildings for the construction of Interstate Route 90 between Laurel and Billings. The taking included all rights of direct access to the new highway. The date of the appraisal for condemnation purposes was the date of the Summons, April, 1962.

The taking ran diagonally in a southwest to northeast direction across the southerly portion of the property leaving remainders on each side. The plans called for a frontage road to be constructed along the southerly side of the highway.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER THE TAKING

After the taking, the property contained 63.88 acres of which 13.94 acres were located south of the highway and 49.94 acres and the remaining building improvements were north of the highway.

Access to the northerly remainder remained the same as before the taking. Access to the southerly remainder was provided by the newly constructed frontage road and by the remaining graveled county road along its east boundary. Travel distance between the remainders was about $1\frac{1}{2}$ miles.

Because of the reduction in size and travel distance between the remainders, the property was no longer considered to be an economic farm unit and its highest and best use was estimated to be a subsistence or part time irrigated farm.

SALE OF THE REMAINDER

In February, 1964, the southerly remainder, containing 13.94 acres, was sold to the abutting owner to the south. The buyer was the seller's brother and investigation indicates that the sale was not representative of a fair market transaction. Therefore, this sale will not be considered further in this report.

In April, 1964, the northerly remainder, containing 49.94 acres and the building improvements, was sold for a confirmed price of $22,000. This transaction is recorded on Page 128, Book 79 of Deeds, Yellowstone County Records.

The property was acquired for the purpose of developing a cattle feed lot. The property is in a good location for this use, being only a short distance from a railroad stock yard.

SUMMARY OF APPROVED APPRAISAL

BEFORE VALUE:		
Land 79.7 Ac. @ $320	$25,504.00	
Improvements - Dwelling	3,800.00	
Barn	3,376.00	
Machine Shed	960.00	
Miscellaneous	2,167.50	
TOTAL BEFORE VALUE		$35,807.50
AFTER VALUE:		
Land 49.94 Ac. @. $290	$14,482.60	
13.94 Ac. @. $200	2,788.00	
Improvements - Dwelling	3,800.00	
Machine Shed	960.00	
Miscellaneous	0.00	
Less Cost of Fence along Frontage Road	- 643.50	
TOTAL AFTER VALUE		$21,387.10
TOTAL COMPENSATION		$14,420.40
VALUE OF PART TAKEN:		
Land 15.82 Ac. @ $320	$ 5,062.40	
Improvements - Barn	3,376.00	
Miscellaneous	1,623.00	
TOTAL		$10,061.40
REDUCTION IN VALUE OF PART NOT TAKEN		$ 4,359.00

BEFORE VALUE OF NORTHERLY REMAINDER:		
Land - 49.94 Ac. @ $320	$15,980.80	
Improvements	5,304.50	
TOTAL		$21,285.30
AFTER VALUE OF NORTHERLY REMAINDER:		
Land - 49.94 Ac. $290	$14,482.60	
Improvements	4,760.00	
TOTAL		$19,242.60

Market investigation indicates that there was no substantial change in value of this type of property in the interval between the date of the appraisal and the sale of the remainder, so no adjustment of the appraisal is necessary.

CHANGE IN VALUE OF PORTION SOLD

	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Northerly Remainder	$21,285.30	$21,285.30
After Value of Northerly Remainder	19,242.60	22,000.00
Change in Value of Northerly Remainder	- $ 2,042.70	+ $ 714.70
Percent Change in Value	$2,042.70 / $21,285.30 -10%	$714.70 / $21,285.30 +3%

REMARKS

Although this property was suitable for use as a feed lot before the taking, the construction of the new highway makes it more desirable for this use since it permits roadside display of livestock for the purpose of attracting cattle buyers.

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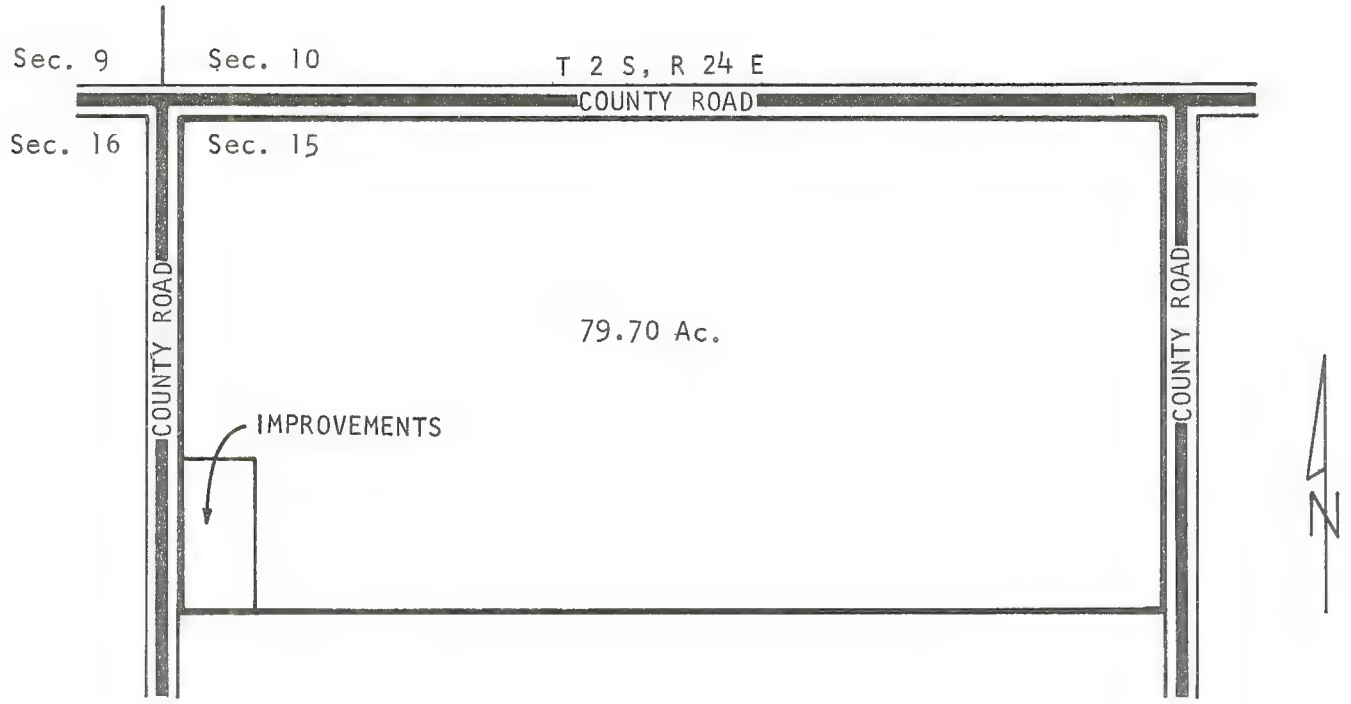

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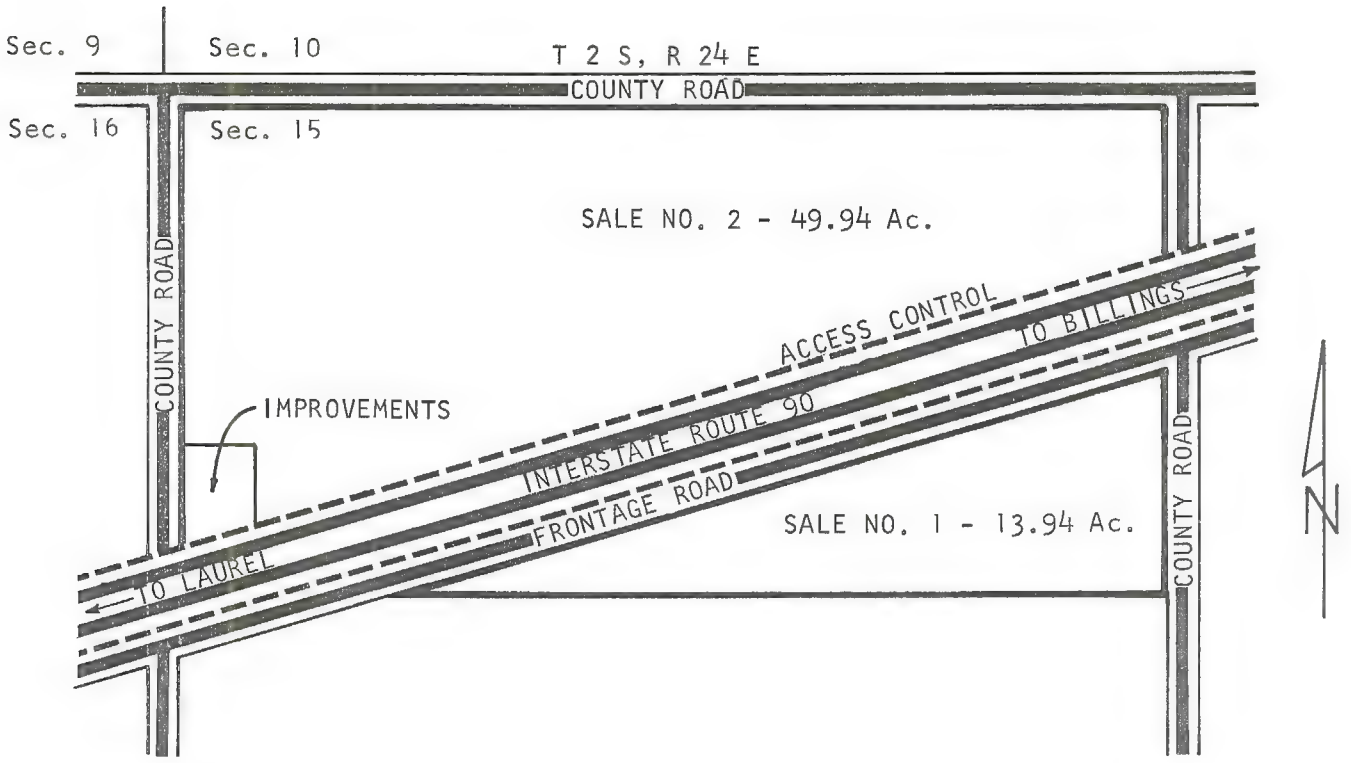

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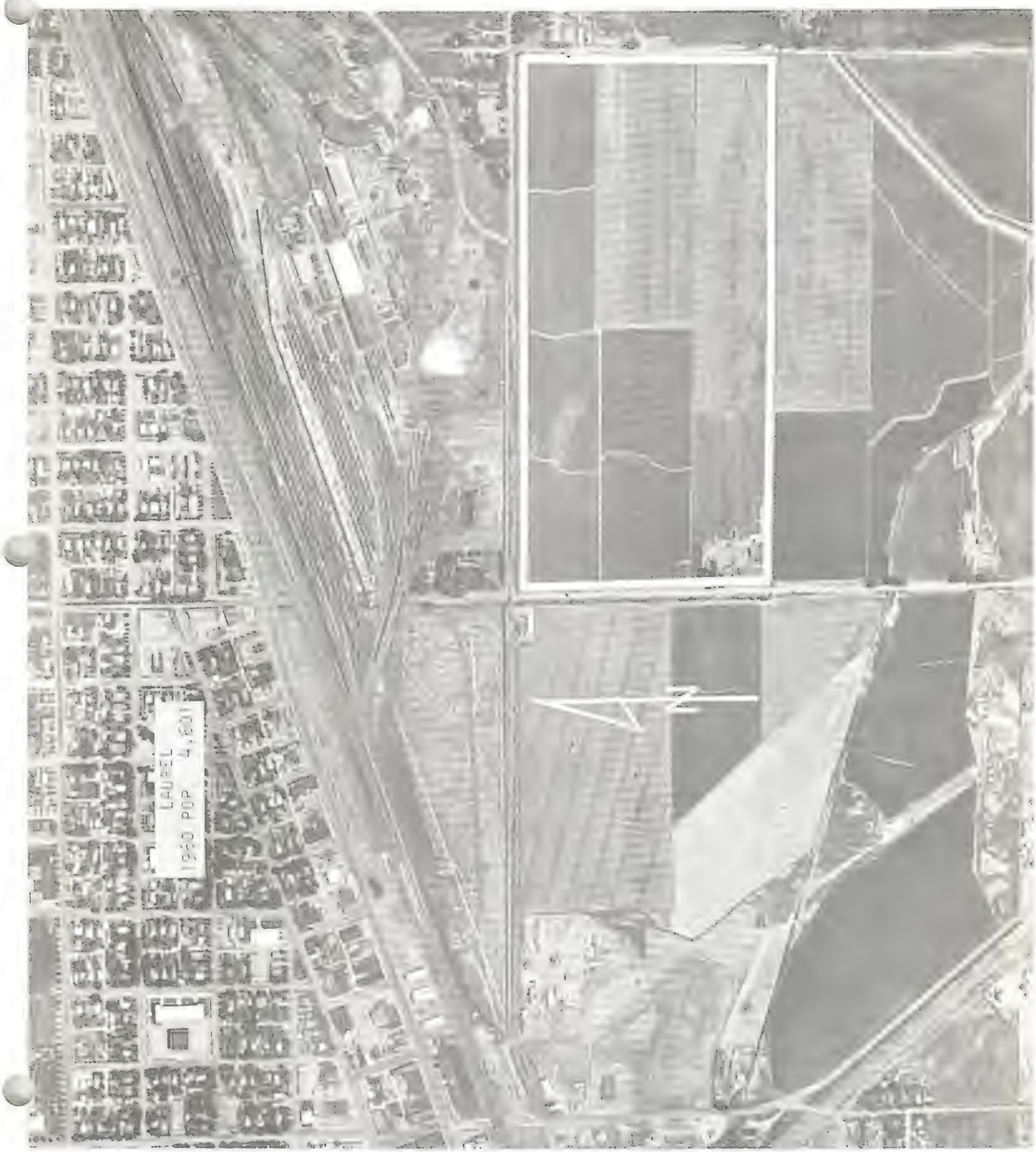

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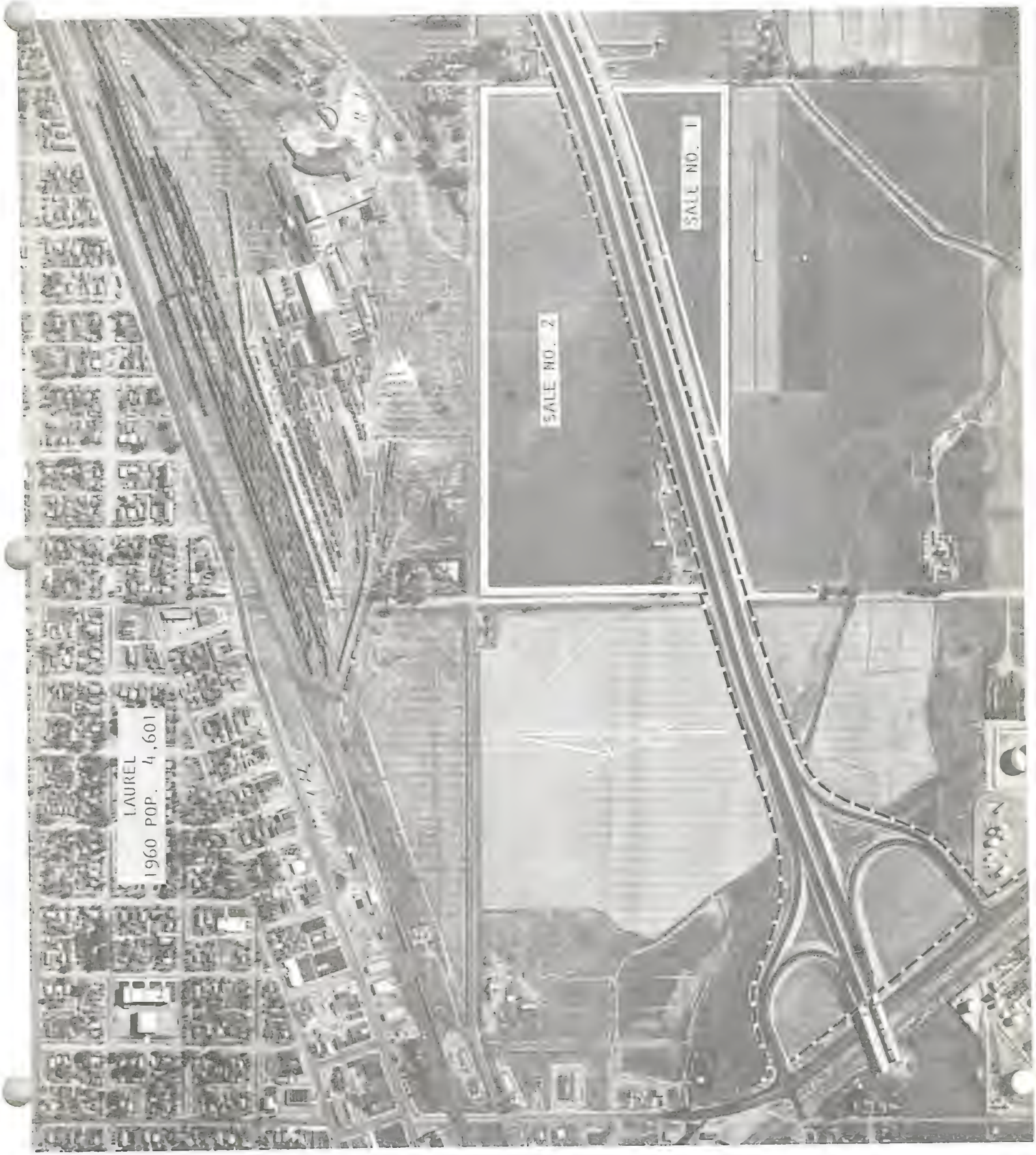
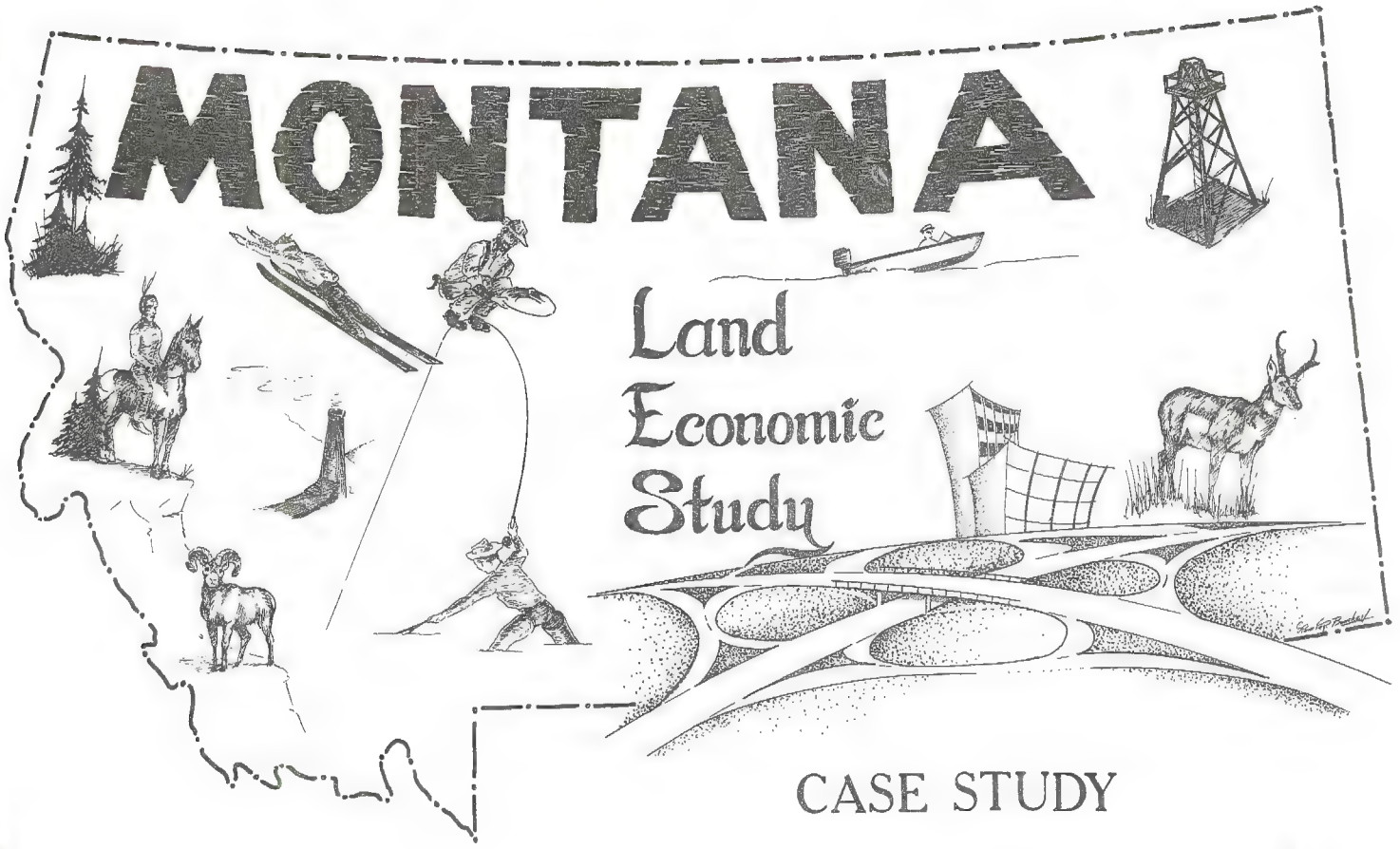




CASE STUDY

NO. 27

IRRIGATED FARMS

SEPARATED AND ISOLATED REMAINDERS

INTERSTATE ROUTE 90

NEAR LAUREL, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

LOCATION

The subject property is located south of the Town of Laurel in Yellowstone County, Montana and is approximately one mile east of U.S. Highway No. 212 and 310. Laurel, which had a 1960 population of 4,601, is 15 miles southwest of the City of Billings, Montana. Billings is the Seat of Yellowstone County and had a 1960 population of 52,851.

NARRATIVE DESCRIPTION OF THE PROPERTY BEFORE THE TAKING

Before the taking the subject property contained 191.31 acres of level, irrigated crop land. A graveled surfaced county road ran east and west along the south property line. A second graveled county road ran north and south through the westerly part of the property dividing it into two parts. The westerly part of the property contained 60.40 acres and the easterly part contained 130.91 acres.

Building improvements consisted of the owner's house, two dwellings for seasonal field laborers, a garage, a barn and a number of other farm buildings. One of the laborer's houses was located west of the north-south county road near the north property line and the rest of the building improvements were located east of the same county road near the north line of the property.

The land was approximately on grade with the county roads and had direct physical access to them.

The highest and best use of the property was estimated to be an irrigated farm.

NARRATIVE DESCRIPTION OF PORTION ACQUIRED FOR RIGHT OF WAY

In December, 1962, the State condemned 30.59 acres of land and the laborer's house located on the westerly part of the property for the construction of Interstate Route 90 between Laurel and Billings. Although the initial condemnation hearing was in December, 1962, and a subsequent jury trial was held in May, 1963, the date of the appraisal for condemnation purposes was the date of the Summons, July 31st, 1962.

The taking ran diagonally across the property from the southwest corner towards the northeast corner, leaving remainders on each side of the Interstate Highway and on each side of the north-south county road.

The State's plans called for a grade separation carrying the north-south county road over the Interstate Highway. Plans also called for a frontage road to be constructed along the northerly side of the Interstate Highway and along the west side of the north-south county road to connect with the county road at the north property line. A second frontage road was to be built along the southerly side of the Interstate Highway in a southwesterly direction from the subject property in order to perpetuate the east-west county road.

The taking included all rights of direct access to the Interstate Highway, but did not include access rights to the county roads or the northerly frontage road.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER THE TAKING

After the taking the subject property contained a total of 160.72 acres of level irrigated crop land divided into four parts by the new Interstate Highway and the north-south county road. Except for the laborer's house which was acquired by the State, the remaining building improvements were the same as described before the taking.

The northwesterly remainder containing 35 acres, has direct physical access to the frontage road on the north side of the Interstate Highway. The northeasterly remainder, containing 28.80 acres and all remaining building improvements, has direct physical access to the northerly end of the north-south county road. The southwesterly remainder, containing 10.69 acres in a triangular shaped tract, has direct physical access to the east-west county road along the south property line and to the southerly end of the north-south county road. The southeasterly remainder, containing 86.23 acres, also has direct physical access to the east-west county road and to the southerly end of the north-south county road.

The highest and best use of the remainder was estimated to be an irrigated farm raising cash crops.

SALE OF THE REMAINDER

In October, 1964, the entire remainder was sold to the abutting owner to the south for a confirmed price of $40,000. This transaction is recorded on Page 317, Book 801 of Deeds, Yellowstone County Records.

Discussion with the buyer reveals that he considers the location of the property with respect to the new highway to be a desirable feature. He is in the process of converting the land from the production of row crops to irrigated pasture and will use the property primarily as a "show case" for his registered pure bred cattle.

SUMMARY OF APPROVED APPRAISAL

BEFORE VALUE:			
Land - 191.31 Ac. @ $280		$53,575	
Improvements - Main Dwelling		3,900	
Garage		200	
All Other Bldgs.		2,800	
Land Improvements		1,000	
	TOTAL BEFORE VALUE		$61,475
AFTER VALUE:			
Land - 160.72 Ac. @ $250		$40,180	
Improvements - Main Dwelling		3,900	
Garage		200	
All Other Bldgs.		2,000	
Land Improvements		1,000	
	TOTAL AFTER VALUE		$47,280
	TOTAL COMPENSATION		$14,195

	TOTAL COMPENSATION	$14,195
VALUE OF PART TAKEN:		
Land - 30.59 Ac. @ $280	$ 8,575	
Improvements - Laborer's House	800	
	TOTAL	$ 9,375
	REDUCTION IN VALUE OF PART NOT TAKEN	$ 4,820

Value of Property Before Taking	$61,475
Value of Part Taken	9,375
BEFORE VALUE OF PART NOT TAKEN	$52,100

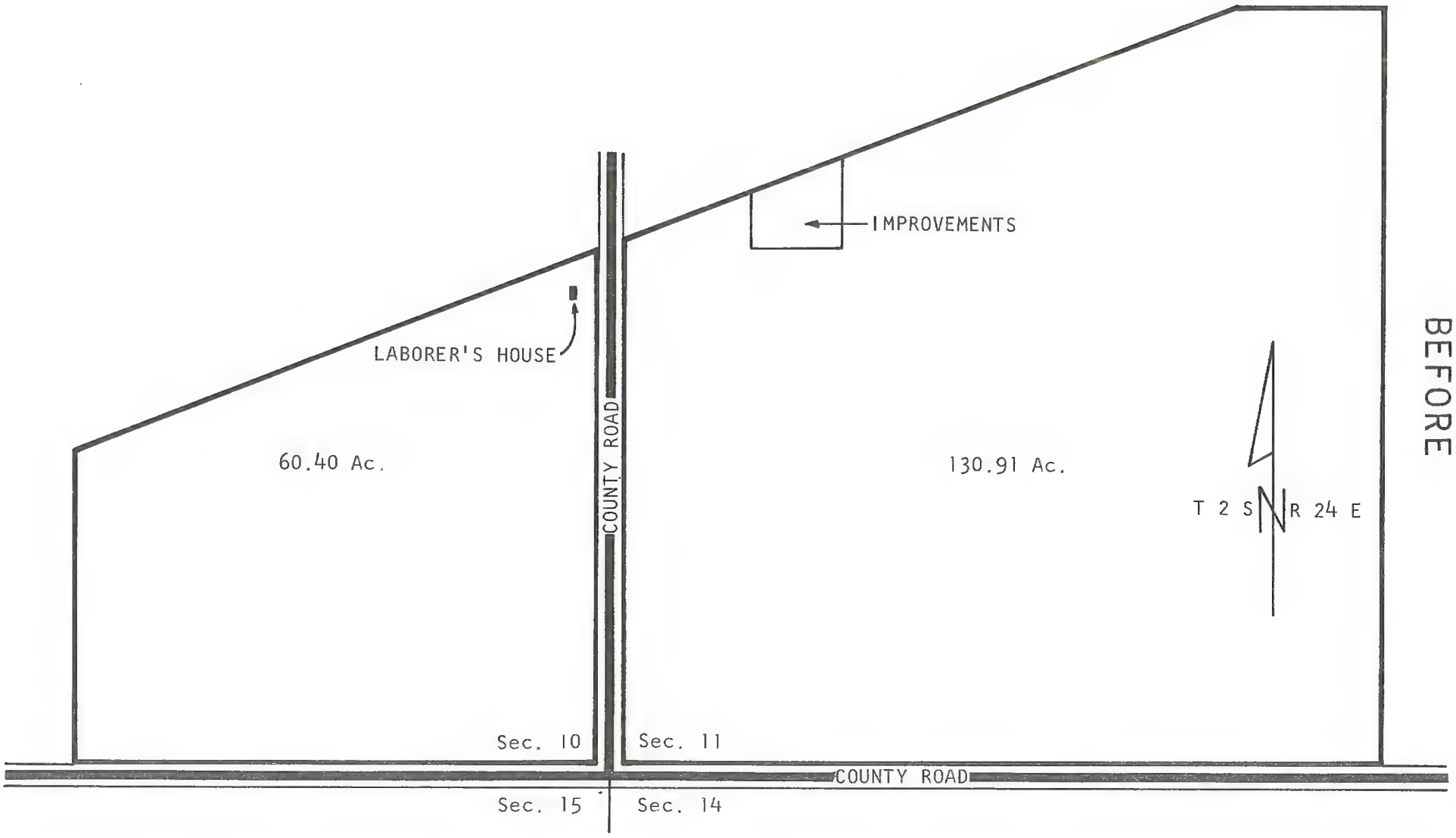
Investigation discloses that there has been no significant change in the value of this type of property in the interval between the State's acquisition and the sale of the remainder, so it is not necessary to adjust the appraisal for changed market conditions.

CHANGE IN VALUE OF PART NOT TAKEN

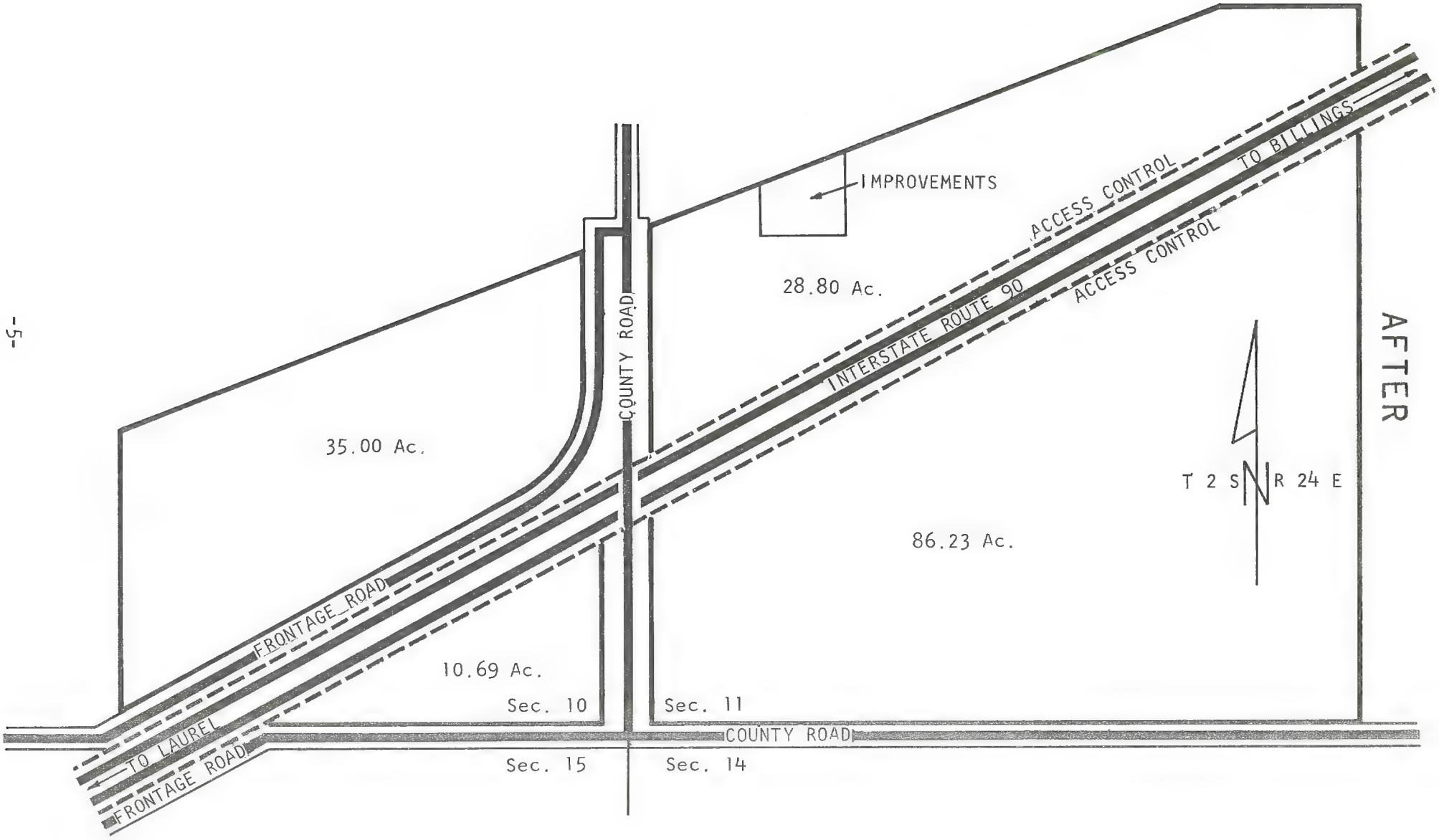
	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Not Taken	$52,100	$52,100
After Value of Part Not Taken	47,280	40,000
Change in Value of Part Not Taken	- $ 4,820	- $12,100
Percent Change in Value	$4,820 / $52,100 -9%	$12,100 / $52,100 -23%

REMARKS

Although the excellent view of the property from the new highway makes it particularly suitable for the intended use, the division of the property into four tracts produces some degree of difficulty in irrigation and in the management of livestock using the pasture. This seems to be the reason for the reduction in value indicated above.

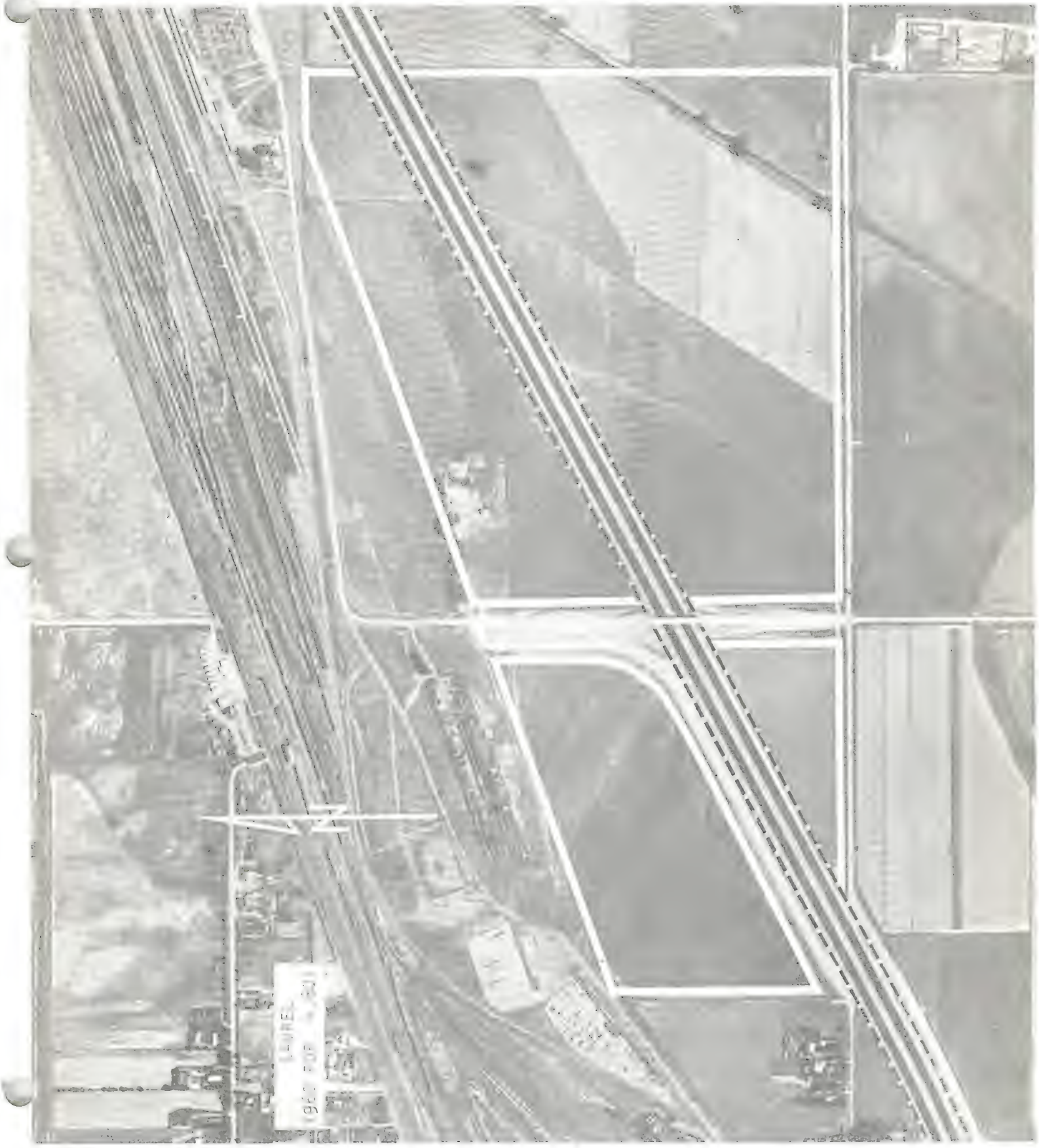

IMPROVEMENTS
LABORER'S HOUSE
60.40 Ac.
130.91 Ac.
COUNTY ROAD
T 2 S
R 24 E
Sec. 10
Sec. 11
COUNTY ROAD
Sec. 15
Sec. 14

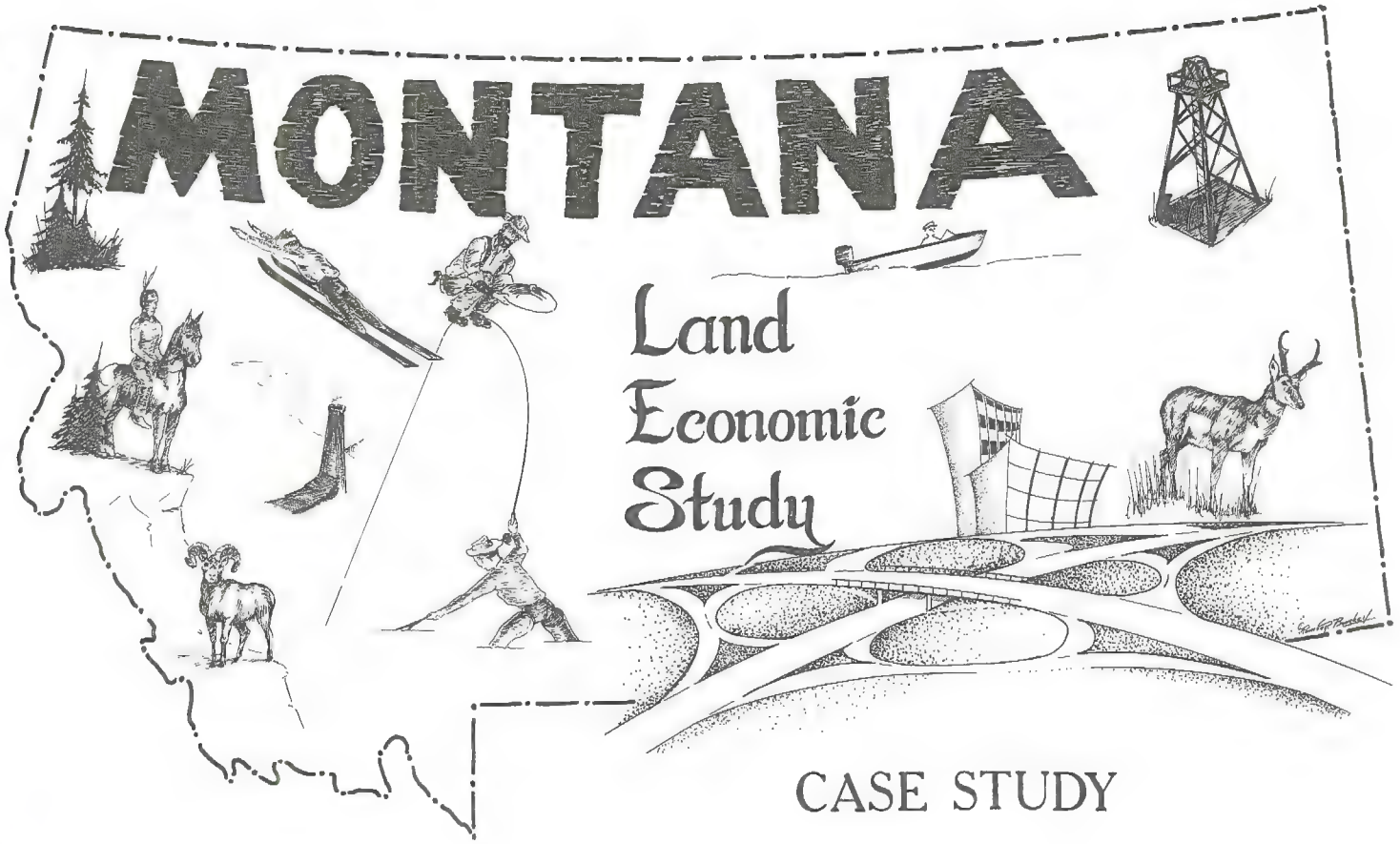
BEFORE


AFTER
IMPROVEMENTS
28.80 Ac.
ACCESS CONTROL
TO BILLINGS
INTERSTATE ROUTE 90
ACCESS CONTROL
COUNTY ROAD
35.00 Ac.
T 2 S
R 24 E
86.23 Ac.
FRONTAGE ROAD
10.69 Ac.
Sec. 10
Sec. 11
TO LAUREL
FRONTAGE ROAD
COUNTY ROAD
Sec. 15
Sec. 14

BEFORE

AFTER





CASE STUDY

NO. 28

RESIDENTIAL PROPERTY

REDUCTION IN SIZE

INTERSTATE ROUTES 15 & 90

BUTTE, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

LOCATION

The subject property is located at the northeast corner of Sheridan Avenue and Goodwin Street in the southeast environs of Butte, Montana. Butte is the County Seat of Silver Bow County, Montana and had a 1960 population of 27,877.

There are no zoning regulations in the subject neighborhood.

NARRATIVE DESCRIPTION OF THE PROPERTY BEFORE THE TAKING

Before the taking, the subject property was a 6,000 square foot corner site having 60 feet of frontage on the north side of Goodwin Street and 100 feet of frontage on the east side of Sheridan Avenue. The site was nearly level and at-grade with both streets and had direct physical access to them and to an alley at the rear of the property.

The property was improved with a three bedroom single family residence of wood frame construction containing 1,226 square feet, and a detached one car garage of wood frame construction containing 285 square feet. Site improvements included the lawn, concrete walks, ornamental trees and shrubs, and a woven wire fence.

The highest and best use of the property was estimated to be single family residential.

NARRATIVE DESCRIPTION OF PORTION ACQUIRED FOR RIGHT OF WAY

In December, 1959, the State acquired the west 40 feet of the subject property in connection with the construction of Interstate Routes 15 and 90 through the City of Butte.

The State's plans called for the construction of an overpass structure carrying Sheridan Avenue over the Interstate Highway approximately 200 feet south of the subject property. The grade of Sheridan Avenue had to be raised past the subject property to meet the structure. The State also constructed a 16 foot wide frontage road along the west side of the subject property between Goodwin Street and Phillips Street, in order to provide access along the west side of the block in which the subject property is located.

The State's acquisition included all improvements located on the property. There were no access rights involved in the taking.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER THE TAKING

After the taking, this property contained 2,000 square feet with 20 feet of frontage on Goodwin Street and 100 feet of frontage on the frontage road along its west boundary. The property was level, at-grade with, and had direct physical access to both facilities. The property is between 5 and 9 feet below the grade of Sheridan Avenue.

The State's appraisal did not show the estimated highest and best use of the remainder.

SALE OF THE REMAINDER

In May, 1960, the remainder was sold to the abutting property owner to the east for a confirmed price of $1.00. This transaction is recorded on Page 177, Book 278, of Deeds, Silver Bow County Records.

The buyer, whose adjoining property is improved with a single family residence, advised that he acquired the remainder for the purpose of controlling its development. In the absence of protective zoning regulations, he feared that a house trailer might be parked on the remainder or that it might be devoted to other uses which would be undesirable in a residential neighborhood. He further advised that he did not welcome the addition to his ownership inasmuch as it resulted in increased property taxes and a greater lawn area to plant and care for.

SUMMARY OF APPROVED APPRAISAL

BEFORE VALUE:

Land - 6,000 Sq. Ft. @ $ 0.20	$ 1,200	
Improvements - Residence	9,450	
Garage	460	
Site Improvements	1,100	
TOTAL BEFORE VALUE		$12,210

AFTER VALUE:

Land - 2,000 Sq. Ft. @ $ 0.03	$ 60	
TOTAL AFTER VALUE		$ 60
TOTAL COMPENSATION		$12,150

VALUE OF PART TAKEN:

Land - 4,000 Sq. Ft. @ $ 0.20	$ 800	
Improvements - Residence	9,450	
Garage	460	
Site Improvements	1,100	
TOTAL OF PART TAKEN		$11,810
REDUCTION IN VALUE OF PART NOT TAKEN		$ 340

Value of Property Before Taking	$12,210
Value of Part Taken	11,810
BEFORE VALUE OF PART NOT TAKEN	$ 400

NOTE - Market investigation discloses that there was no significant change in the value of vacant lots in this neighborhood in the interval between the State's appraisal and subsequent sales of the remainder. Therefore, it is not necessary to adjust for changed market conditions.

CHANGE IN VALUE OF PART NOT TAKEN

	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Not Taken	$ 400	$ 400
After Value of Part Not Taken	60	1
Change in Value of Part Not Taken	-$ 340	-$ 399
Percent Change in Value	$340 / $400 -85%	$399 / $400 -100%

REMARKS

This sale, along with the sale in Case Study No. 29 which is located directly across the alley to the north of the subject property, displays a willingness on the part of adjoining owners who already have adequate sites, to purchase small remainders in order to prevent undesirable development even though the remainders may not be a wanted addition to their property. It seems likely that the buyer would have paid more for this property if he had to, so the after value estimated by the appraiser does not appear to be unreasonable.

It should be noted that the motivation of the buyer resulted from the lack of protection by zoning regulations. In similar situations where zoning regulations are in effect, abutting owners might not be as willing to acquire such remainders.

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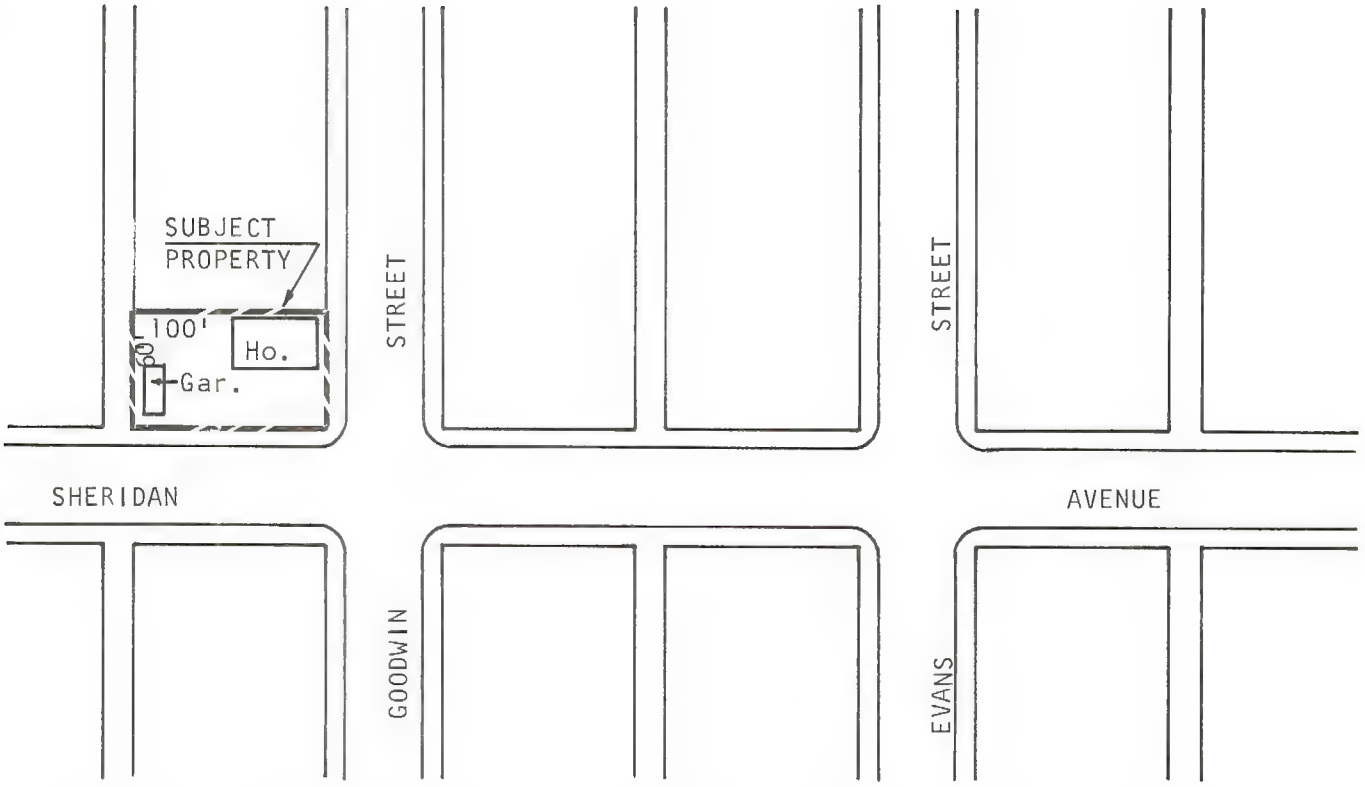

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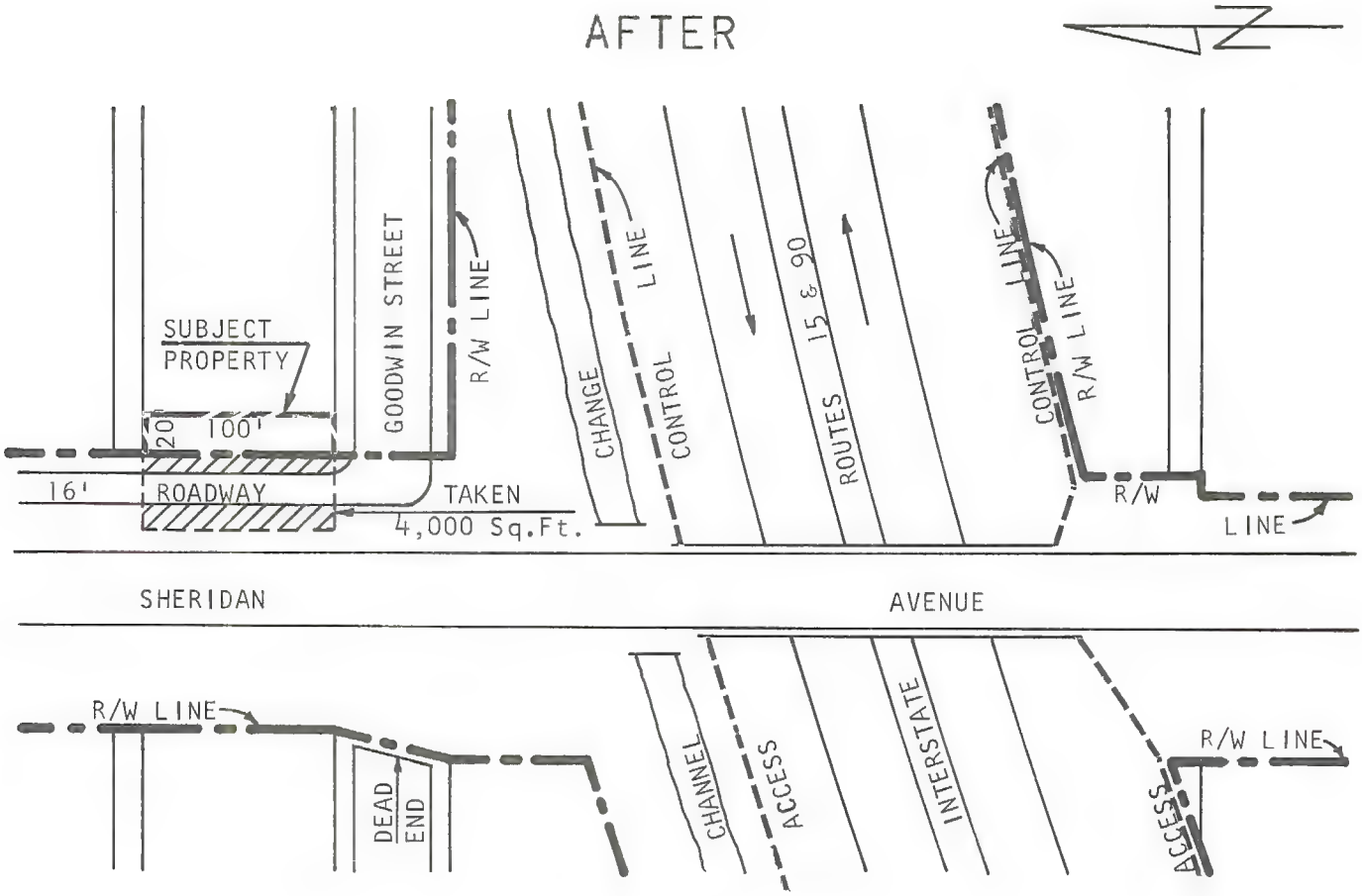

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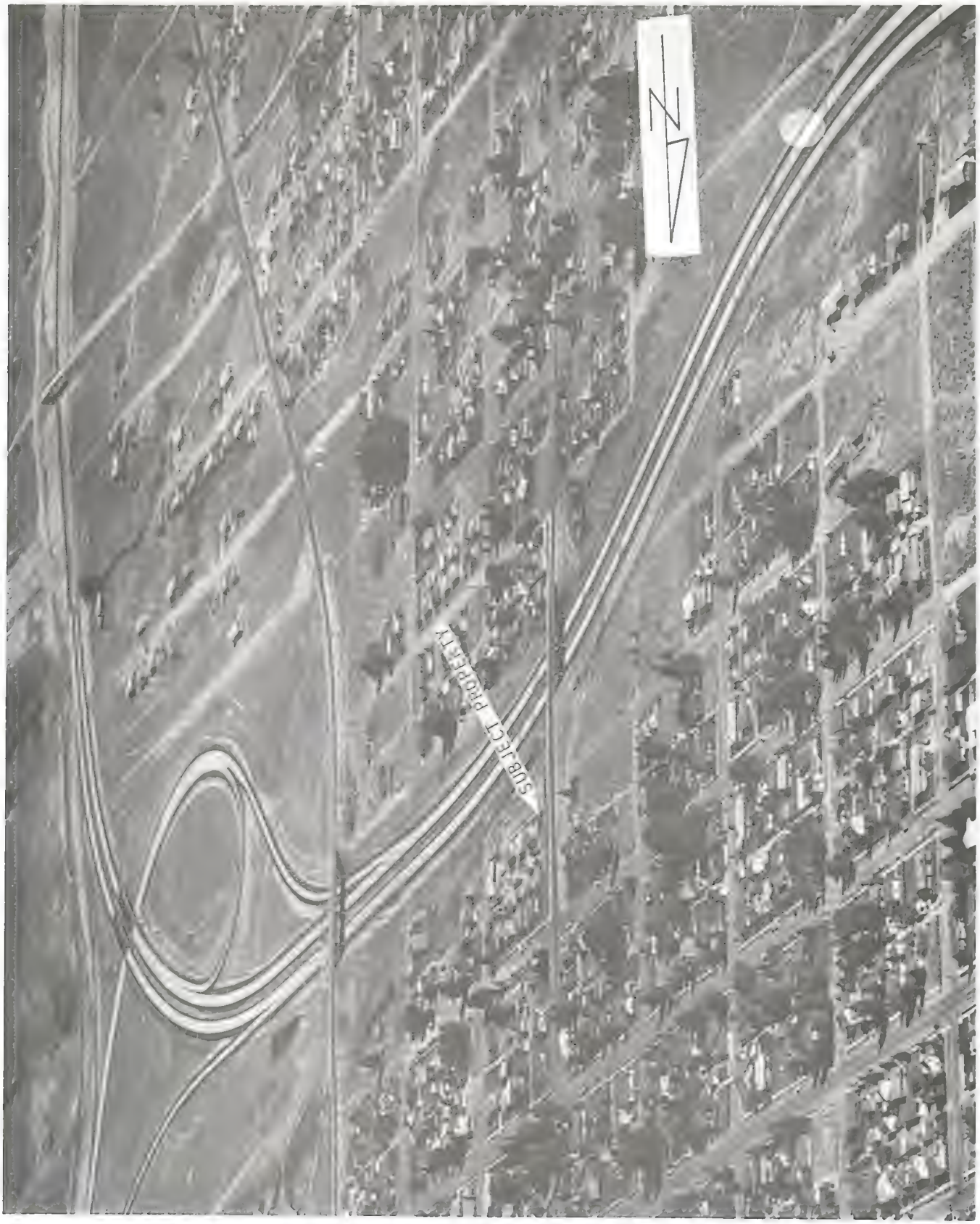

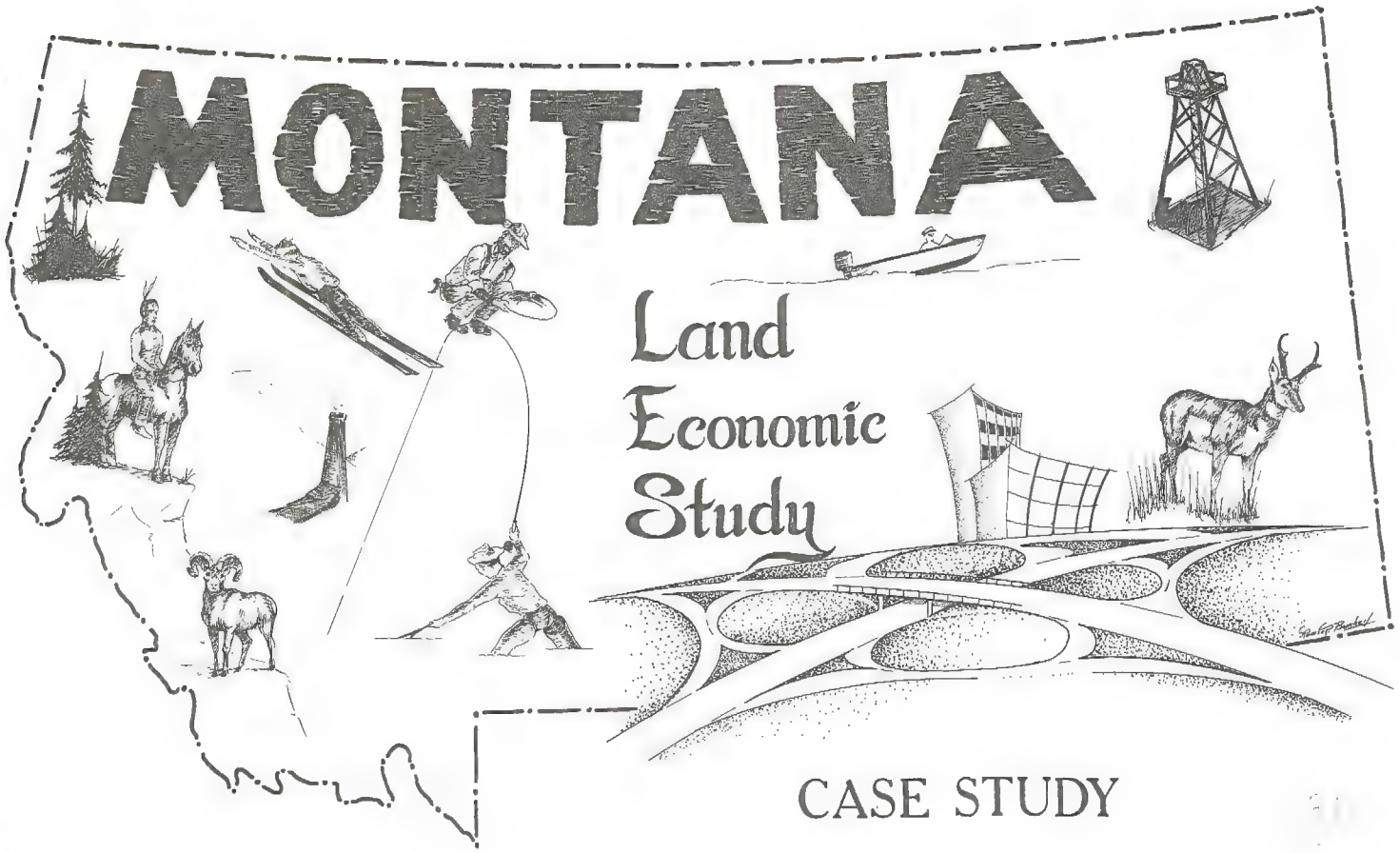

CASE STUDY

NO. 29

RESIDENTIAL PROPERTY

REDUCTION IN SIZE

INTERSTATE ROUTES 15 & 90

BUTTE, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

LOCATION

The subject property is located at the southeast corner of Phillips Street and Sheridan Avenue in the southeast environs of Butte, Montana. Butte is the County Seat of Silver Bow County and had a 1960 population of 27,877.

There are no zoning regulations in the subject neighborhood.

NARRATIVE DESCRIPTION OF THE PROPERTY BEFORE THE TAKING

Prior to the State's acquisition, the subject property contained 6,000 square feet of land having 60 feet of frontage on the south side of Phillips Street and 100 feet of frontage on the west side of Sheridan Avenue. The property was nearly level, at-grade with, and had direct physical access to both streets and to an alley at the rear of the property.

The property was improved with a one and one-half year old, three bedroom, single family residence of frame construction containing 1,274 square feet, and an attached double garage. Site improvements consisted of the lawn and concrete walks and drive-way.

The highest and best use of the property was estimated to be single family residential.

NARRATIVE DESCRIPTION OF PORTION ACQUIRED FOR RIGHT OF WAY

In January, 1960, the State acquired the west 40 feet of the subject property and all improvements in connection with the construction of Interstate Routes 15 and 90 through the City of Butte. The State's plans called for the construction of a grade separation carrying Sheridan Avenue over the Interstate Highway approximately 300 feet south of the subject property. The grade of Sheridan Avenue had to be raised past the subject property to meet the overpass structure. The State's plans also included the construction of a 16 foot wide frontage road along the east side of the Sheridan Avenue fill between Phillips Street and Goodwin Street in order to provide continued access along the west line of the block in which the subject property is located.

The State's acquisition did not include access rights.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER THE TAKING

After the taking, the subject property contained 2,000 square feet with 20 feet of frontage on Phillips Street and 100 feet of frontage on the frontage road along its west boundary. It also had 20 feet of frontage along the alley at the rear of the property. The remainder is at-grade with the abutting streets and has direct physical access to them.

The remainder is at approximately the same elevation as Sheridan Avenue at the north property line and is approximately 4 feet below the grade of Sheridan Avenue at the south property line.

The State's appraisal did not show the estimated highest and best use of the remainder.

SALE OF THE REMAINDER

There have been two sales of the remainder since the State's acquisition. The first sale was in April, 1960 to the adjoining owner to the east whose property was improved with a single family residence. This transaction is recorded on Page 479, Book 277 of Deeds, Silver Bow County Records.

The buyer has moved and was not available for confirmation of the transaction. However, it was confirmed by one of the State's Right of Way Agents who lives in the neighborhood and is completely familiar with the transaction. He advises that the consideration paid for the property was some merchandise costing approximately $5.00. The remainder was used to provide additional lawn area for the purchaser's property.

The second sale included the entire ownership of the seller. The facts concerning this sale would be of no value to this Case Study so it is not considered further in this report.

SUMMARY OF APPROVED APPRAISAL

BEFORE VALUE:

Land - 6,000 Sq. Ft. @ $ 0.20	$ 1,200	
Improvements - Residence	21,050	
Site Improvements	950	
TOTAL BEFORE VALUE		$23,200

AFTER VALUE:

Land - 2,000 Sq. Ft. @ $ 0.03	$ 60	
TOTAL AFTER VALUE		$ 60
TOTAL COMPENSATION		$23,140

VALUE OF PART TAKEN:

Land - 4,000 Sq. Ft. @ $ 0.20	$ 800	
Improvements - Residence	21,050	
Site Improvements	950	
TOTAL OF PART TAKEN		$22,800
REDUCTION IN VALUE OF PART NOT TAKEN		$ 340

Value of Property Before Taking	$23,200
Value of Part Taken	22,800
BEFORE VALUE OF PART NOT TAKEN	$ 400

CHANGE IN VALUE OF PART NOT TAKEN

	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Not Taken	$ 400	$ 400
After Value of Part Not Taken	60	5
Change in Value of Part Not Taken	-$ 340	-$ 395
Percent Change in Value	$340 / $400 -85%	$395 / $400 -99%

REMARKS

The size and shape of the remainder severely limited its utility for independent use. Since there was a close friendship between the buyer and seller, and the seller had no use for the property, he sold it to his neighbor for a nominal consideration.

In Case Study No. 28, which involved the sale of a nearly identical remainder directly across the alley to the south of the subject property, the buyer was motivated by the desire to protect his adjoining property from use of the remainder by trailer houses and other uses which would be undesirable in a residential neighborhood. Although the buyer of the subject property may have had additional reasons for purchasing the remainder, this property is equally subject to the possibility of undesirable uses and the confirming party advised that this matter was mentioned in connection with the transaction.

It seems entirely likely that the buyer in this transaction might have paid more for the remainder if he had to. In view of this, the appraiser's estimate of the value of the remainder appears to be reasonable.

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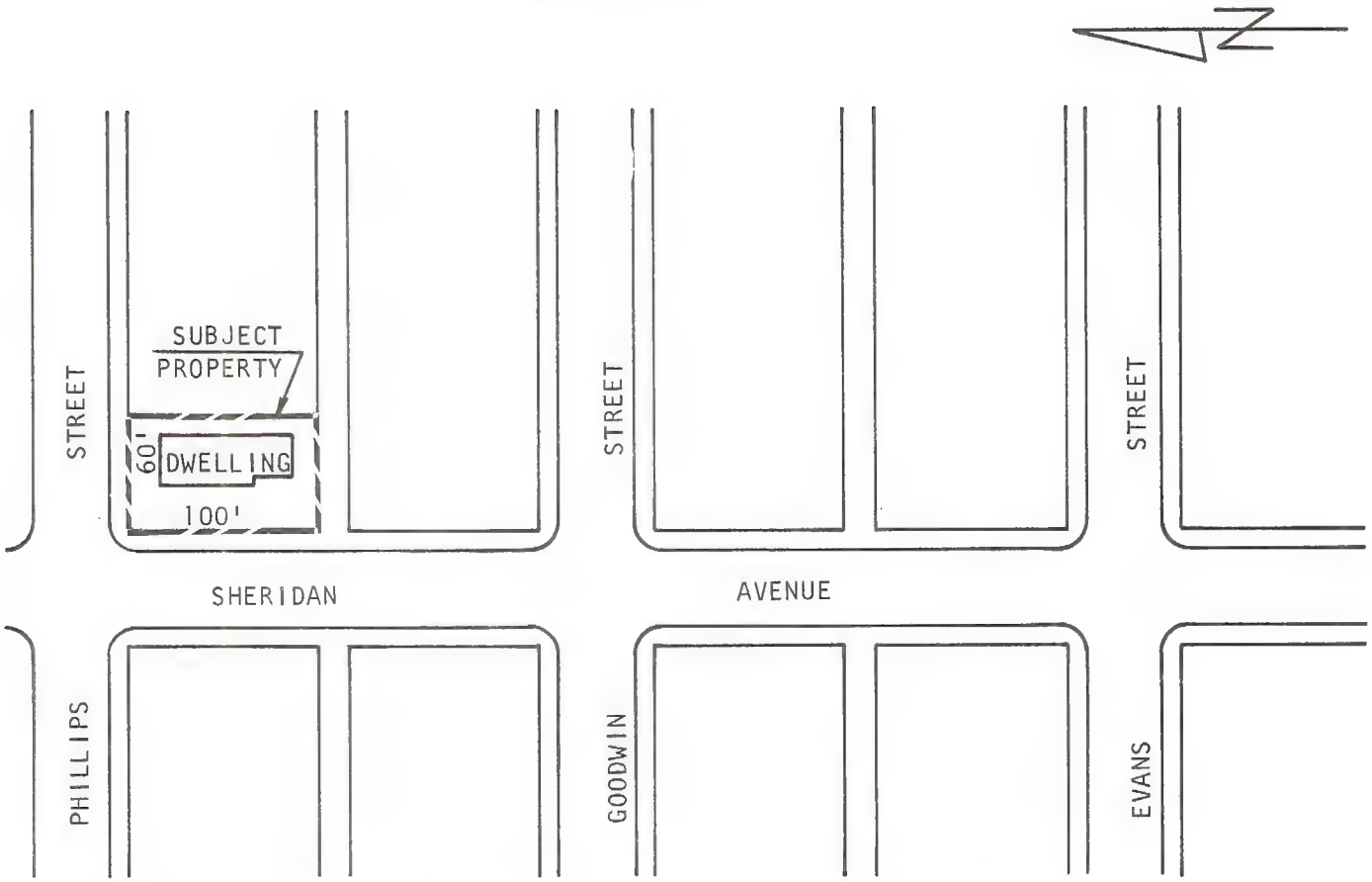

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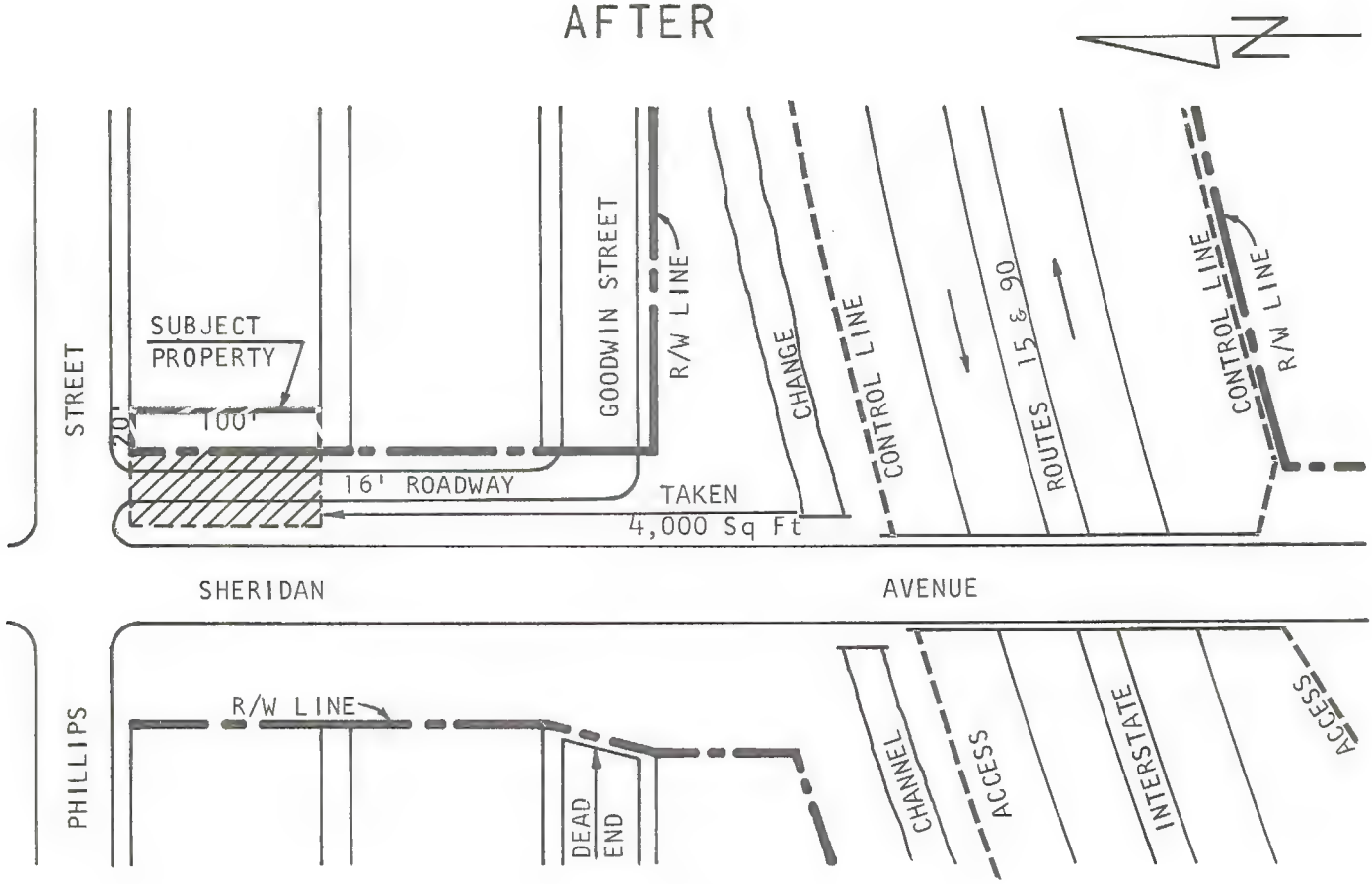

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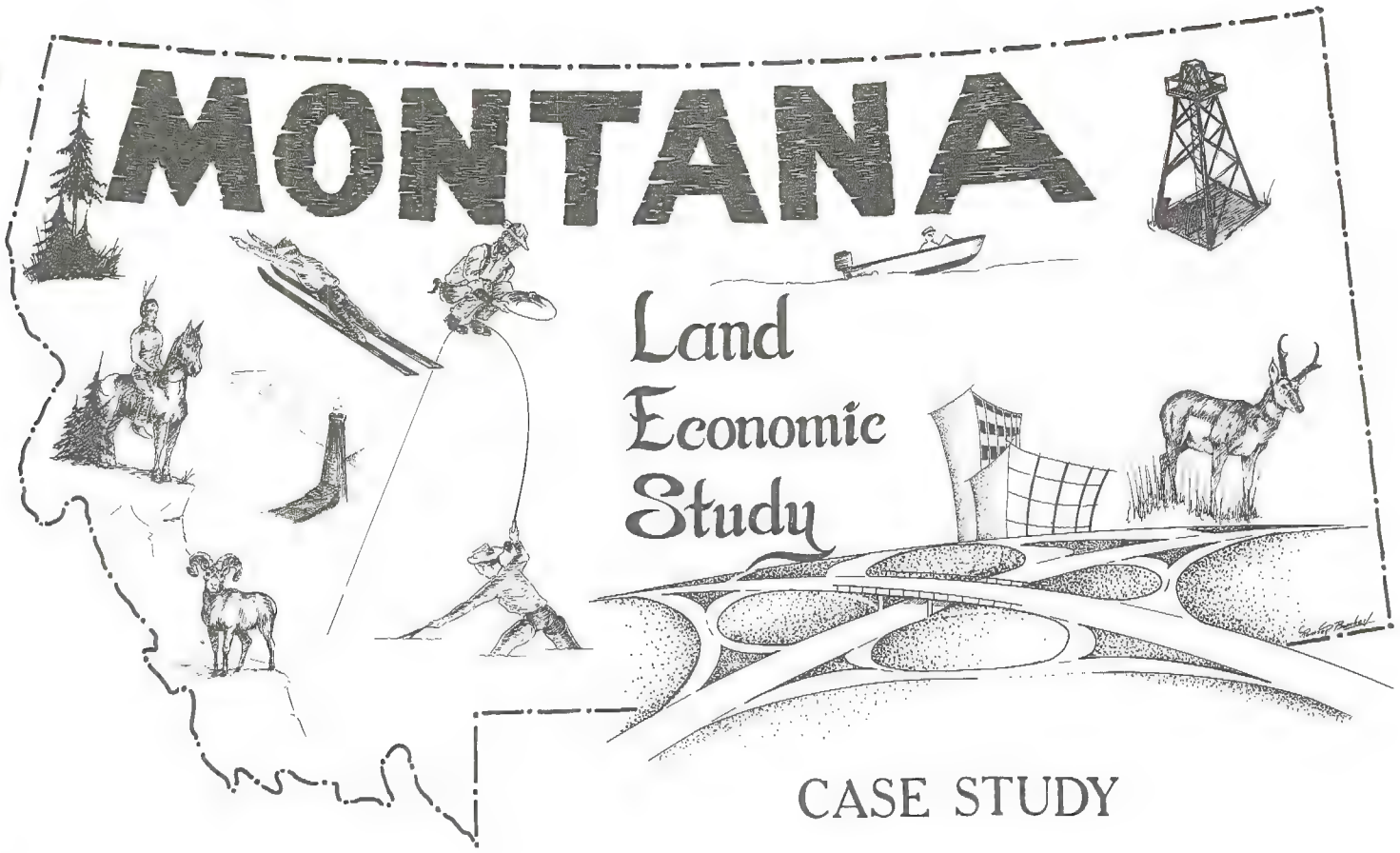

CASE STUDY

NO. 30

RESIDENTIAL PROPERTY

CHANGE IN SIZE AND SHAPE

INTERSTATE ROUTES 15 & 90

BUTTE, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

LOCATION

The subject property is located at the southeast corner of Evans Street and Sherman Avenue in the southeast environs of Butte, Montana. Butte is the County Seat of Silver Bow County and had a 1960 population of 27,877.

Property in the neighborhood of the subject property is not subject to zoning regulations.

NARRATIVE DESCRIPTION OF THE PROPERTY BEFORE THE TAKING

Prior to the State's acquisition, this property was a vacant corner site containing 6,000 square feet. It had 60 feet of frontage on the south side of Evans Street and 100 feet of frontage on the east side of Sherman Avenue. Sherman Avenue was a bladed dirt street which ended at the south line of the property. Evans was a bladed dirt street extending west of its intersection with Sherman Avenue, but was unopened east of Sherman Avenue. There was also a platted but unopened alley along the south property line. The site was nearly level and had direct physical access to Sherman Avenue.

The highest and best use of the property was estimated to be residential.

NARRATIVE DESCRIPTION OF PORTION ACQUIRED FOR RIGHT OF WAY

In March, 1960, the State acquired 1,800 square feet of land from the southerly portion of this property for the purpose of changing the channel of a dry wash along the north side of Interstate Routes 15 and 90. The taking included all rights of direct access to the new highway facility and to the channel change area.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER THE TAKING

After the taking, the subject property contained 4,200 square feet of land, having 60 feet of frontage on the north side of Evans Street and 83 feet of frontage on the east side of Sherman Avenue. The depth of the property along its east line is 57 feet. The remainder is nearly level and has direct physical access to Sherman Avenue.

Sherman Avenue dead-ends against the new highway right of way line at the south line of the subject property and Evans Avenue dead-ends against the new right of way approximately 150 feet east of the subject property. The previously unopened portion of Evans Street has been bladed since the date of the State's acquisition, but a barricade erected at the east line of Sherman Avenue prevents its use between Sherman Avenue and the Interstate Highway.

The remainder is 170 feet northwest of the center line of the Interstate Highway and is approximately 15 feet above the grade of the nearest traffic lane. The south line of the property borders along a high bank above the channel change which was constructed by the State. The access control fence is located between the channel change and the traveled lanes of the Interstate Highway, so, there is no protective barrier between the remainder and the steep bank of the channel change.

SALE OF THE REMAINDER

In September, 1963, the remaining portion of the subject property was sold to the owner of the property located directly across Evans Street to the north. The confirmed sale price was $200. This transaction is recorded on Page 489, Book 294 of Deeds, Silver Bow County Records.

The buyer's residence was situated at an angle on its site with a view to the southwest partially overlooking the subject property. He advised that he purchased the remainder for the purpose of controlling its development. He feared that somebody else might acquire the property for the purpose of parking a trailer house. He further advised that he has been trying to acquire the remaining portions of the four lots located to the east of the subject property and the remaining vacant lots abutting his property on the north side of Evans Street. Although, a barricade has been erected across Evans Street at the west line of the subject property, the buyer advises that the street has not been vacated. He hopes to have it vacated if he gains control of the abutting property.

SUMMARY OF APPROVED APPRAISAL

BEFORE VALUE:		
Land - 6,000 Sq. Ft. @ $ 0.175	$ 1,050	
TOTAL BEFORE VALUE		$ 1,050
AFTER VALUE:		
Land - 4,200 Sq. Ft. @ $ 0.01+	$ 50	
TOTAL AFTER VALUE		$ 50
TOTAL COMPENSATION		$ 1,000
VALUE OF PART TAKEN:		
Land - 1,800 Sq. Ft. @ $ 0.175	$ 315	
TOTAL OF PART TAKEN		$ 315
REDUCTION IN VALUE OF PART NOT TAKEN		$ 685

Value of Property Before Taking	$ 1,050
Value of Part Taken	315
BEFORE VALUE OF PART NOT TAKEN	$ 735

CHANGE IN VALUE OF PART NOT TAKEN

	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Not Taken	$ 735	$ 735
After Value of Part Not Taken	50	200
Change in Value of Part Not Taken	-$ 685	-$ 535
Percent Change in Value	$685 / $735 -93%	$535 / $735 -73%

REMARKS

As in Case Study No. 28 which involved a sale of property in the same neighborhood, the purchaser of this remainder was motivated by the desire to protect his then existing ownership, although he was actually under no compulsion to purchase the remainder. However, unlike Case Study No. 28 in which the purchaser paid only one dollar for a 2,000 square foot remainder, the purchaser of this property was willing to pay a substantially greater price even though the property did not actually adjoin his existing ownership.

In this connection, it should be pointed out that the size and shape of this remainder are such that it is capable of being used independently for residential use, whereas the sale property in Case Study No. 28 was a 20 foot wide by 100 foot long strip affording very limited utility. In addition, if the purchaser in this case study is successful in acquiring the abutting remainders and having the street closed, thereby creating a larger site, the contribution of this remainder will undoubtedly far exceed the $200 that he paid for it.

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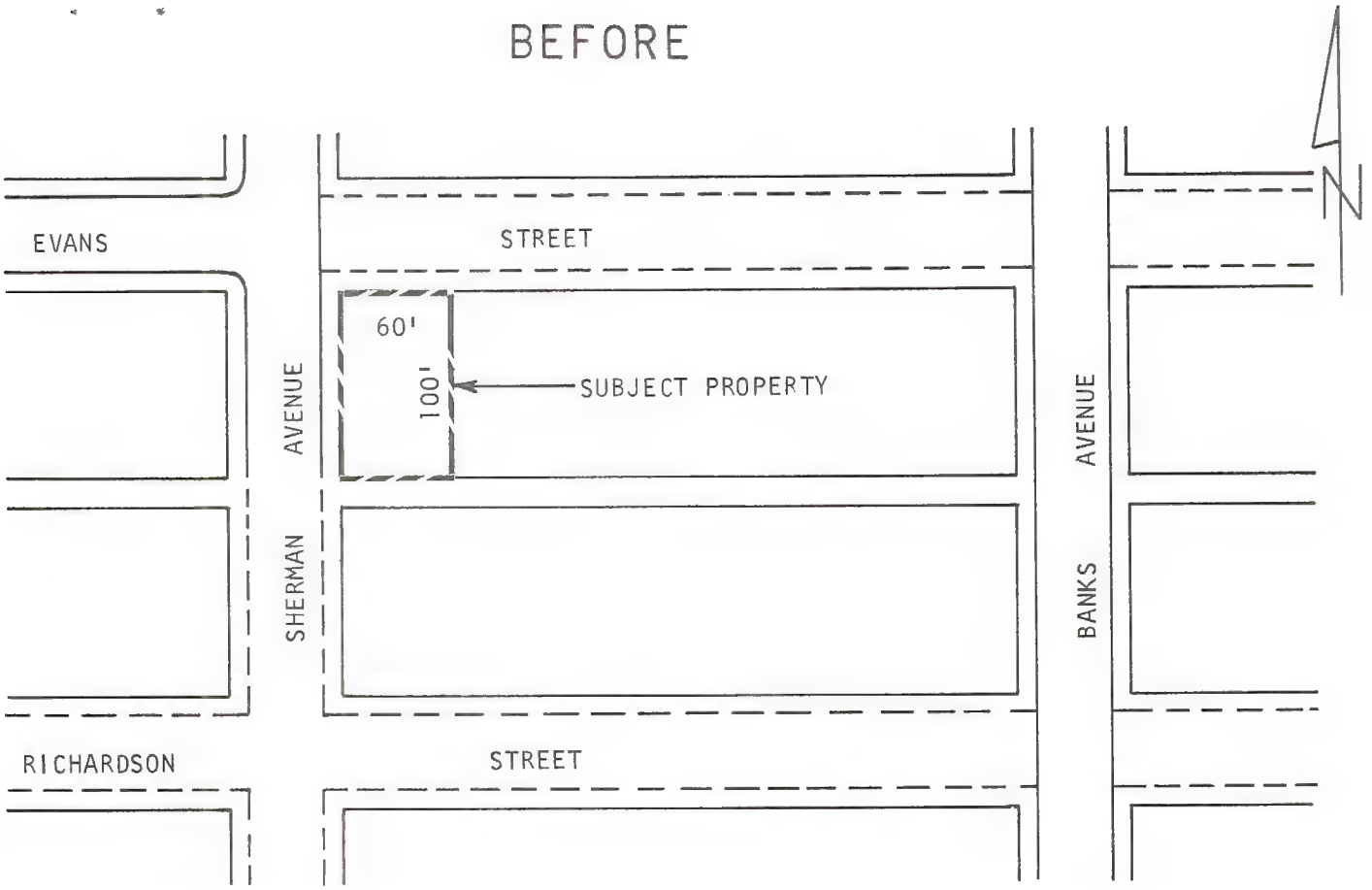

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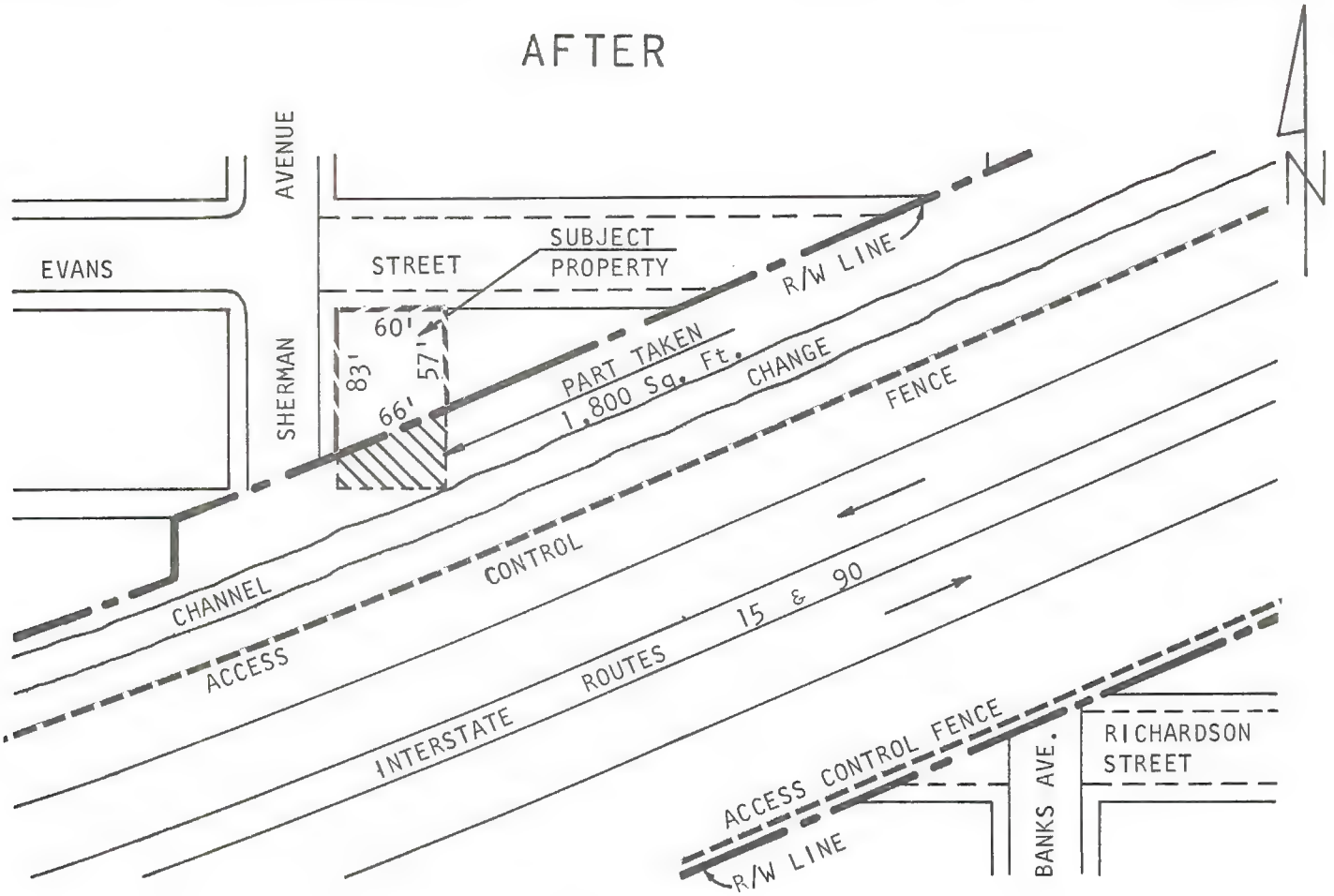

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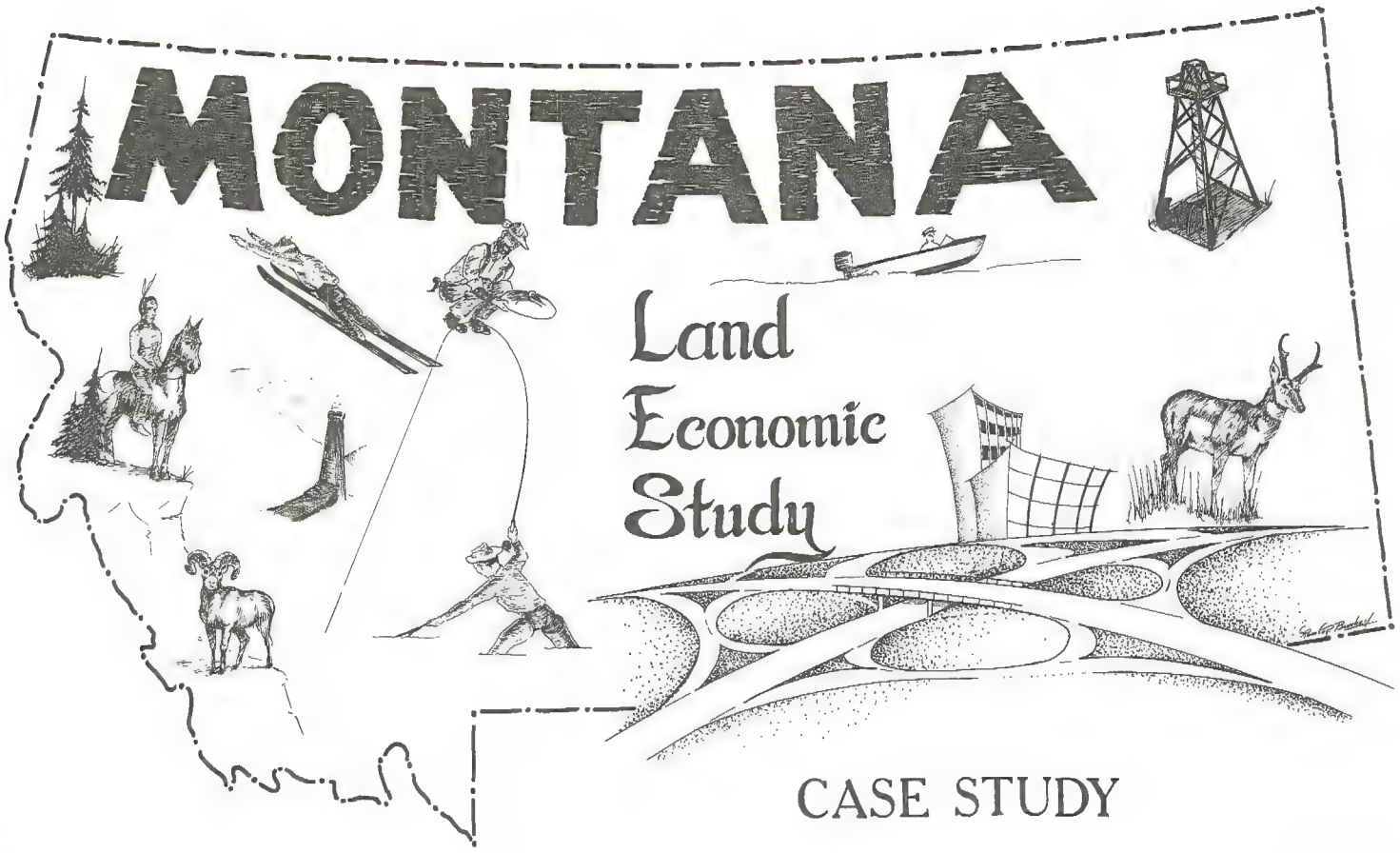

CASE STUDY

NO. 31

SINGLE FAMILY RESIDENCE

RESTRICTED ACCESS & CHANGE OF GRADE

INTERSTATE ROUTES 15 & 90

BUTTE, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

LOCATION

The subject property is located at 3434 Sheridan Avenue in the southeast environs of Butte, Montana. Butte is the County Seat of Silver Bow County and had a 1960 population of 27,877.

Properties in the area of the subject property are not subject to zoning regulations.

NARRATIVE DESCRIPTION OF THE PROPERTY BEFORE THE TAKING

Before the taking this was a 12,000 square foot site having 100 feet of frontage on the east side of Sheridan Avenue. It also had 120 feet of frontage on the south side of Evans Street which, though dedicated as a public street, was not developed past the subject property. An alley bordered the south line of the property. The site was approximately at-grade with, and had direct physical access to Sheridan Avenue and the alley.

Building improvements included a one bedroom frame residence containing 857 square feet of a separate one car garage of wood frame construction containing 255 square feet. These were relatively low cost improvements in only fair condition. Site improvements included the lawn, concrete walks, ornamental shrubs and a fence.

The highest and best use of the property was estimated to be residential.

NARRATIVE DESCRIPTION OF PORTION ACQUIRED FOR RIGHT OF WAY

In November, 1959, the State acquired 6,960 square feet of land from the west and north portions of the property in connection with the construction of Interstate Routes 15 and 90, through Butte, Montana. The taking did not include any of the improvements.

The State's plans called for the Interstate Highway to be built in an east-west direction north of the subject property. The plans also called for the construction of a grade separation carrying Sheridan Avenue over the Interstate Highway with a resulting raise in grade of this street past the subject property.

The taking included all rights of direct access to Sheridan Avenue and to the new Interstate Highway.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER THE TAKING

After the State's acquisition, this property contained 5,040 square feet of land having approximately 45 feet of frontage on the east side of Sheridan Avenue, approximately 95 feet of frontage on the south side of the new Interstate Highway, and 90 feet of frontage on the alley along its south boundary. The remainder is approximately 10 feet below the grade of Sheridan and between 6 and 13 feet above the grade of the Interstate Highway.

The improvements are the same as described before the taking, but the front of the house which faces west is approximately 10 feet from the right of way line and approximately 15 feet away from the base of the Sheridan Avenue fill.

Physical access to the property is limited to the alley along its south line. The alley dead-ends against the Sheridan Avenue fill at the west line of the remainder and opens onto Gladstone Avenue 240 feet east of the subject property.

SALE OF THE REMAINDER

In November, 1959, immediately after the taking, the remainder was sold for a confirmed price of $1,500. Although there were three transfers of title in quick succession, it is the writer's understanding that only one sale was involved at this time and that the other two deeds were in connection with financing the sale. The record of this sale may be found on Page 595, Book 275; Page 193, Book 291; and Page 595, Book 291 of Deeds, Silver Bow County Records.

The buyer made some minor improvements to the house, adding some kitchen cupboards and redecorating the interior. During the term of this ownership, very little work was being done on the new highway project in the vicinity of this property.

In May, 1962, the property was resold for a confirmed price of $1,650. This transaction is recorded on Page 197, Book 291 of Deeds, Silver Bow County Records.

The buyer advises that he acquired the property for the purpose of rehabilitating it further and selling it at a profit. He further advises the highway construction was not very far advanced at the time of this purchase and that he was not aware of the extent of the fill on Sheridan Avenue or of the cut for the Interstate Highway. He also stated that he assumed that a frontage road would be constructed at the base of the Sheridan Avenue fill to connect the west end of the alley with Richardson Street, one-half block south of the subject property.

He was asked if, in view of these circumstances, he felt he paid too much for the property or whether he would have purchased the property at all had he been aware of the exact nature of the construction. He replied that he thought the price was still satisfactory and that he probably would have purchased it anyway. However, he said that he does not intend to put as much effort into improving the property as he had originally planned and that he anticipates greater difficulty in selling the property.

SUMMARY OF APPROVED APPRAISAL

BEFORE VALUE:

Land - 12,000 Sq. Ft. @ $ 0.20		$2,400	
Improvements -	Residence	4,750	
	Garage	575	
	Site Improvements	1,150	
	TOTAL BEFORE VALUE		$8,875

	TOTAL BEFORE VALUE	$8,875
AFTER VALUE:		
Land - 5,040 Sq. Ft. @ $ 0.05	$ 250	
Improvements - Residence	240	
Garage	30	
Site Improvements	60	
	TOTAL AFTER VALUE	$ 580
	TOTAL COMPENSATION	$8,295
VALUE OF PART TAKEN:		
Land - 6,960 Sq. Ft. @ $ 0.20	$1,390	
	TOTAL OF PART TAKEN	$1,390
	REDUCTION IN VALUE OF PART NOT TAKEN	$6,905

Value of Property Before Taking	$8,875
Value of Part Taken	1,390
BEFORE VALUE OF PART NOT TAKEN	$7,485

Market investigation discloses that there was no significant change in values of this type of property in the interval between the State's acquisition and the subsequent sales of the remainder. Therefore, it is not necessary to adjust the State's appraisal for changed market conditions.

CHANGE IN VALUE OF PART NOT TAKEN

First Sale	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Not Taken	$7,485	$7,485
After Value of Part Not Taken	580	1,500
Change in Value of Part Not Taken	-$6,905	-$5,985
Percent Change in Value	$6,905 / $7,485 -92%	$5,985 / $7,485 -80%

Second Sale	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Not Taken	$7,485	$7,485
After Value of Part Not Taken	580	1,650
Change in Value of Part Taken	-$6,905	-$5,835
Percent Change in Value	$6,905 / $7,485 -92%	$5,835 / $7,485 -78%

REMARKS

The State's acquisition and the new highway construction resulted in a major loss in value of the remainder, but the degree of loss was not quite as severe as anticipated by the appraiser. The small difference in sale prices between the first and second sale can be accounted for by the improvements made by the first purchaser.

Although, the present owner stated that he probably would have purchased the property for the same price even if he had been fully aware of the nature of the construction, there is no definite assurance that he would have reacted in this manner. The fact that he is not now willing to improve the property to the extent of his original plans would seem to indicate that he might have been reluctant to pay as much as he did. Perhaps the appraiser is more nearly correct in his estimate of the loss in value than this sale indicates. This can only be determined by a future sale of the remainder.

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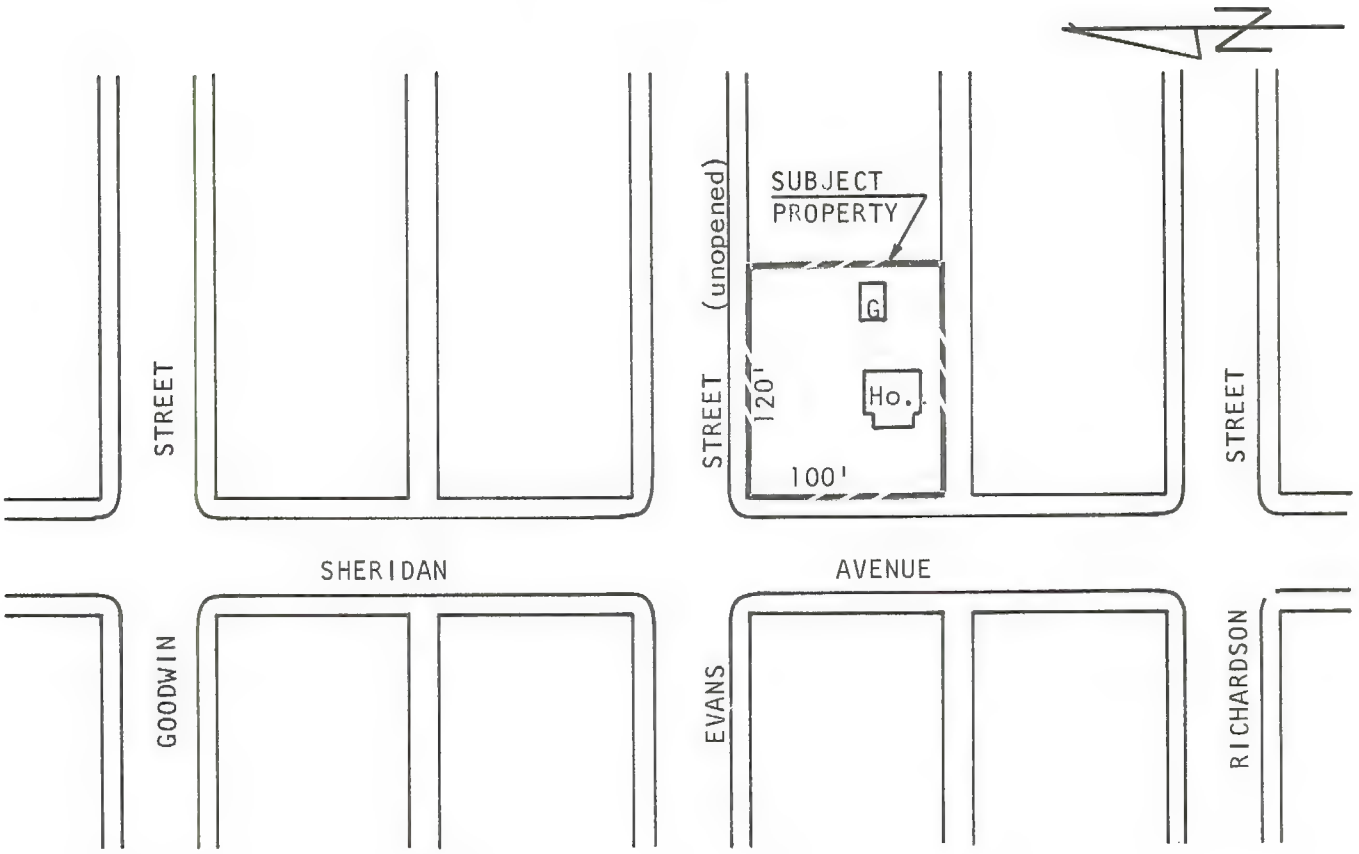

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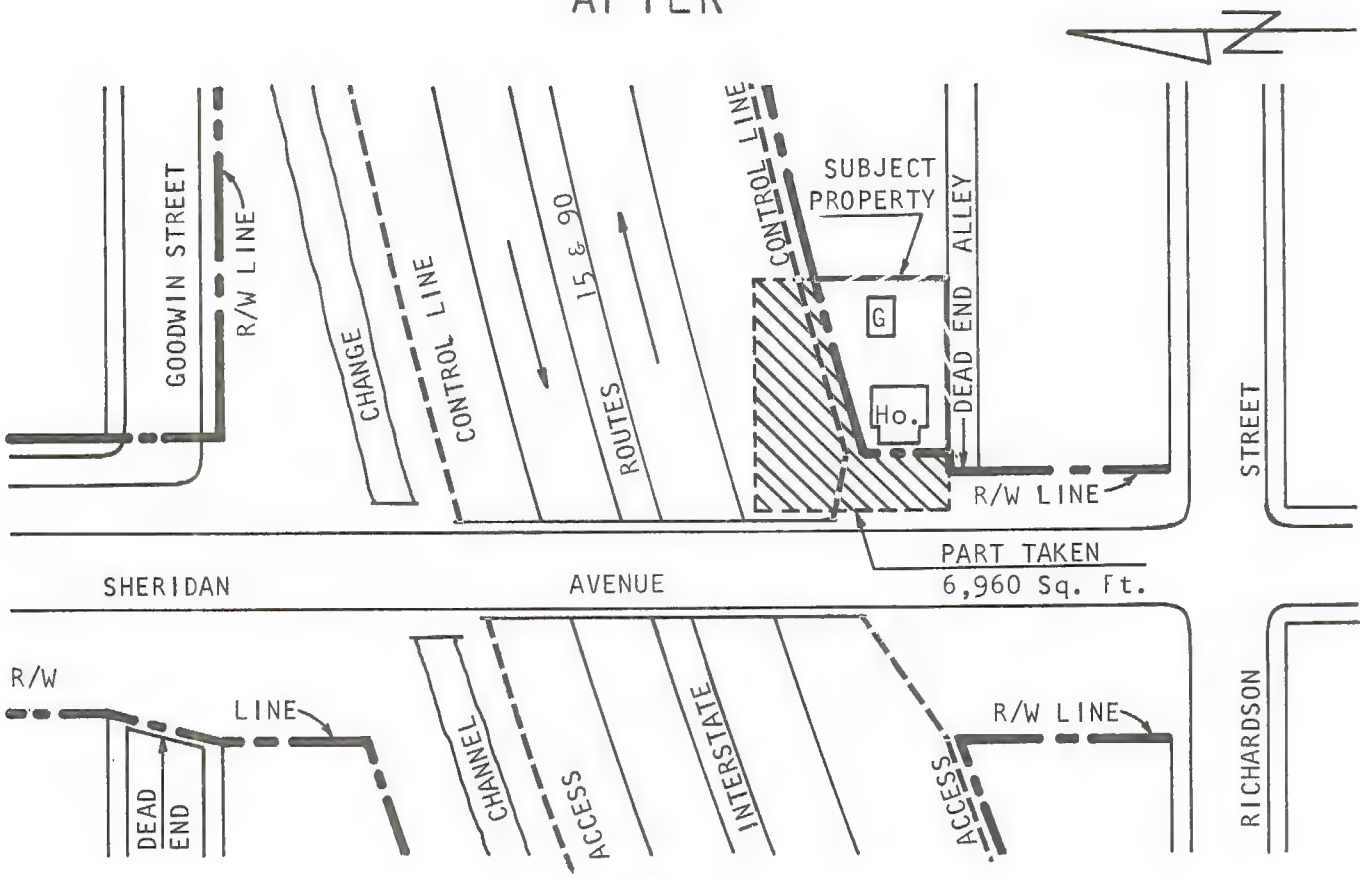

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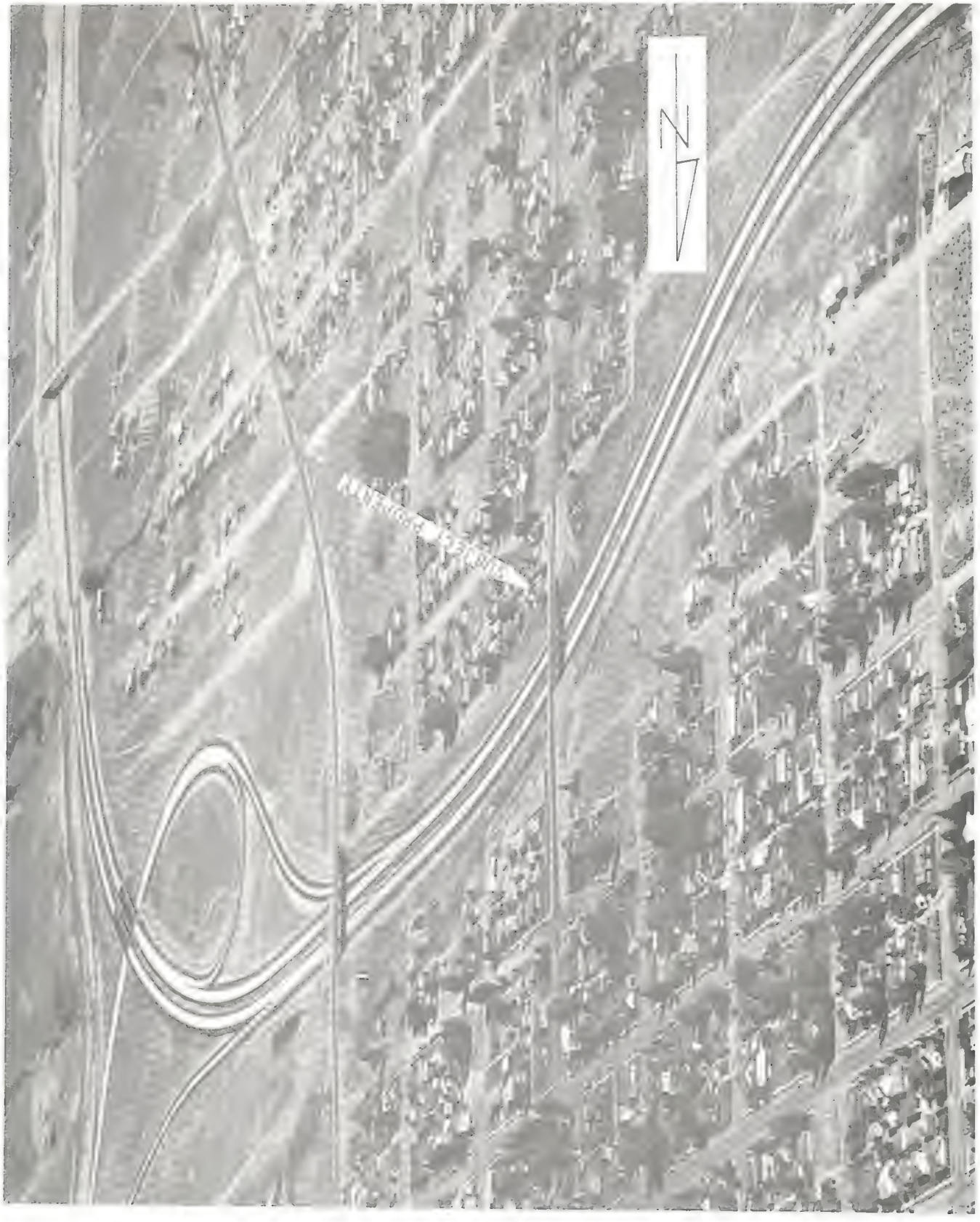

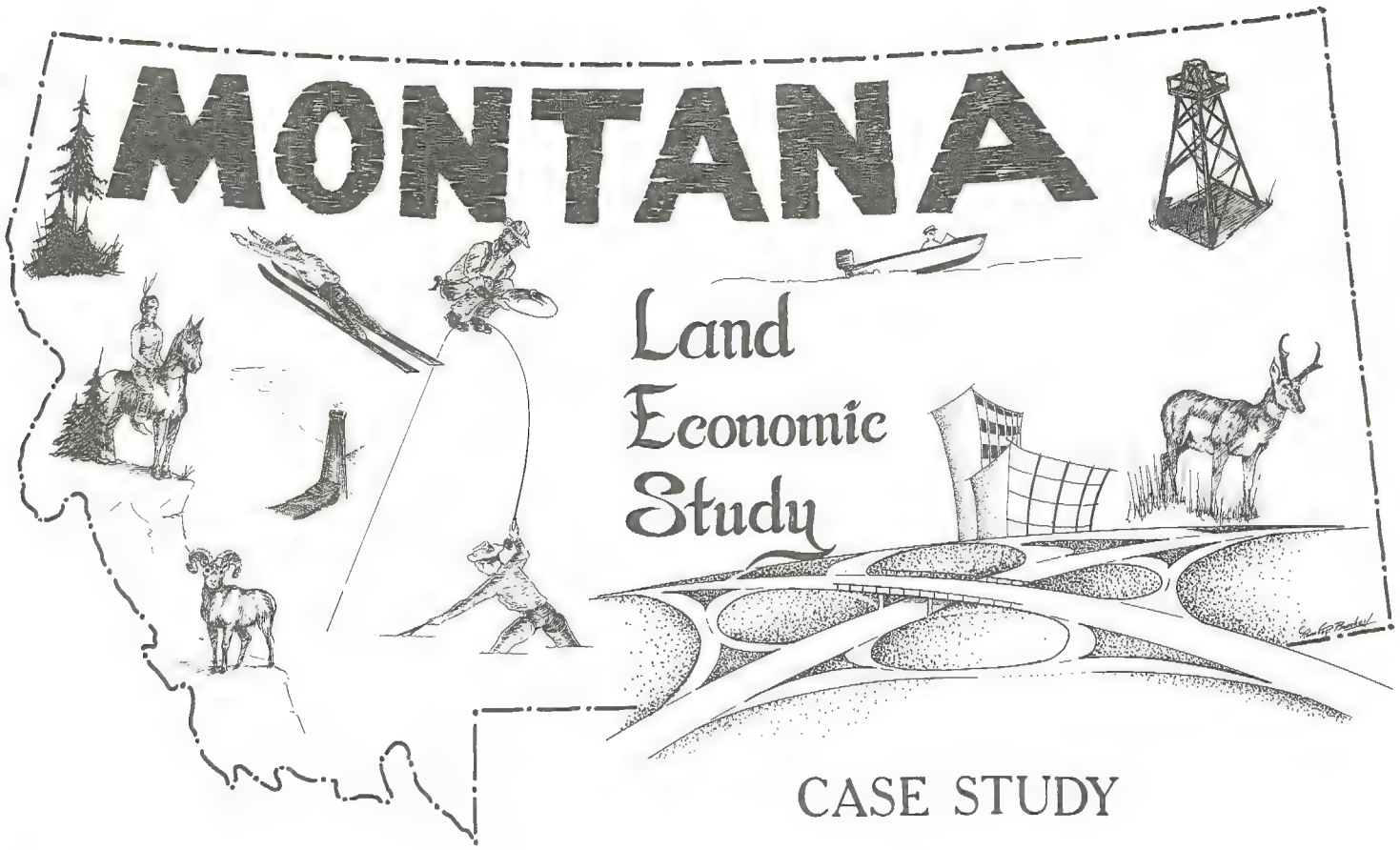

CASE STUDY

NO. 32

SINGLE FAMILY RESIDENCE

PROXIMITY

INTERSTATE ROUTES 15 & 90

BUTTE, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

LOCATION

The subject property is located at 3114 Sheridan Avenue in the southeast environs of Butte, Montana. Butte is the County Seat of Silver Bow County, Montana and had a 1960 population of 27,877.

There are no zoning regulations in the neighborhood of the subject property.

NARRATIVE DESCRIPTION OF THE PROPERTY BEFORE THE TAKING

Prior to the State's acquisition, this was a level 4,800 square foot residential site with 48 feet of frontage on the east side of Sheridan Avenue, 100 feet of frontage on the north side of Phillips Street and 48 feet of frontage on an alley along the east line of the property. The property was improved with an older two bedroom single family residence of wood frame construction containing 1,067 square feet, and a separate two-car garage also of wood frame construction. The house faced west of Sheridan Avenue and the garage which was located on the easterly portion of the site faced south on Phillips Street. Site improvements included the lawn, concrete walks, a fence, large pine trees, and several shrubs.

The property was approximately at-grade with, and had direct access to both streets and to the alley.

The highest and best use of the property was estimated to be residential.

NARRATIVE DESCRIPTION OF PORTION ACQUIRED FOR RIGHT OF WAY

In February, 1960, the State acquired the west five feet of the subject property in connection with the construction of Interstate Routes 15 and 90 through Butte. The Interstate Highway itself was to be located approximately 500 feet south of this property, but a grade separation was to be constructed carrying Sheridan Avenue over the Interstate Highway. The taking from the subject property was for the purpose of constructing the north approach to the Sheridan Avenue overpass.

Subsequent to the acquisition, but prior to construction of the roadway, the State's plans were changed to the extent that the approach would begin a short distance south of the subject property. As a result of this change, the right of way acquired from the subject property was not utilized for construction.

The State's acquisition did not include any rights of access.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER THE TAKING

After the State's acquisition and completion of highway construction, the physical appearance of this property remained unchanged from the description before the taking. However, the set-back of the residence from the property line was reduced from 20 to 15 feet and some of the site improvements, including the two large pine trees, are actually on the highway right of way.

The State has the right to occupy and use the land it purchased, but it does not seem likely that this right will be exercised in the foreseeable future.

SALE OF THE REMAINDER

In March, 1961, the remainder was sold for a confirmed price of $5,800. This transaction is recorded on Page 181, Book 282 of Deeds, Silver Bow County Records.

Interview with the buyer's wife disclosed that the property was purchased before the change in the State's plans became known and that they acquired the property under the assumption that the right of way would be used for construction of the approach to the Sheridan Avenue overpass. She said that the property had been listed for sale for $7,500 but that because of the taking and impending construction, they were only willing to pay $5,800 and this offer was immediately accepted by the sellers.

The property was purchased as rental property with the idea in mind that the owners would move into it when they retire since they feel that the large newer home that they now live in will be too large after the children leave home and that the lower taxes on the more modest home will be to their financial advantage. The property has been rented continuously since purchase for $70 per month.

SUMMARY OF APPROVED APPRAISAL (Adjusted to reflect market conditions prevailing at the time of the sale of the remainder)

BEFORE VALUE:		
Land - 4,800 Sq. Ft. @ $ 0.20	$ 960	
Improvements - House	6,150	
Garage	900	
Site Improvements	990	
TOTAL BEFORE VALUE		$ 9,000
AFTER VALUE:		
Land - 4,560 Sq. Ft. @ $ 0.16	$ 720	
Improvements - House	4,870	
Garage	700	
Site Improvements	550	
TOTAL AFTER VALUE		$ 6,840
TOTAL COMPENSATION		$ 2,160
VALUE OF PART TAKEN:		
Land - 240 Sq. Ft. @ $ 0.20	$ 50	
Improvements - Site Improvements	310	
TOTAL OF PART TAKEN		$ 360
REDUCTION IN VALUE OF PART NOT TAKEN		$ 1,800
Value of Property Before Taking	$ 9,000	
Value of Part Taken	360	
BEFORE VALUE OF PART NOT TAKEN	$ 8,640	

CHANGE IN VALUE OF PART NOT TAKEN

	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Not Taken	$ 8,640	$ 8,640
After Value of Part Not Taken	6,840	5,800
Change in Value of Part Not Taken	-$ 1,800	-$ 2,840
Percent Change in Value	$1,800 / $8,640 -21%	$2,840 / $8,640 -33%

REMARKS

The sale indicates that this property experienced a loss in value in excess of the amount anticipated by the appraiser. In viewing the property as it exists today, the loss in value displayed by the sale appears to be wholly unwarranted. However, it must be remembered that at the time of the sale the State was going to remove the curb, sidewalk and two large trees from the front of the property and in their place construct an elevated approach to the Sheridan Avenue Overpass. While the construction ultimately might not have affected the desirability of the property to the extent indicated by the sale, neither the buyer nor seller had any way of knowing what the final appearance of the property would be and their actions may have been governed to a certain extent by uncertainty. If the property were to be resold today, it seems likely that there would be some recovery in value.

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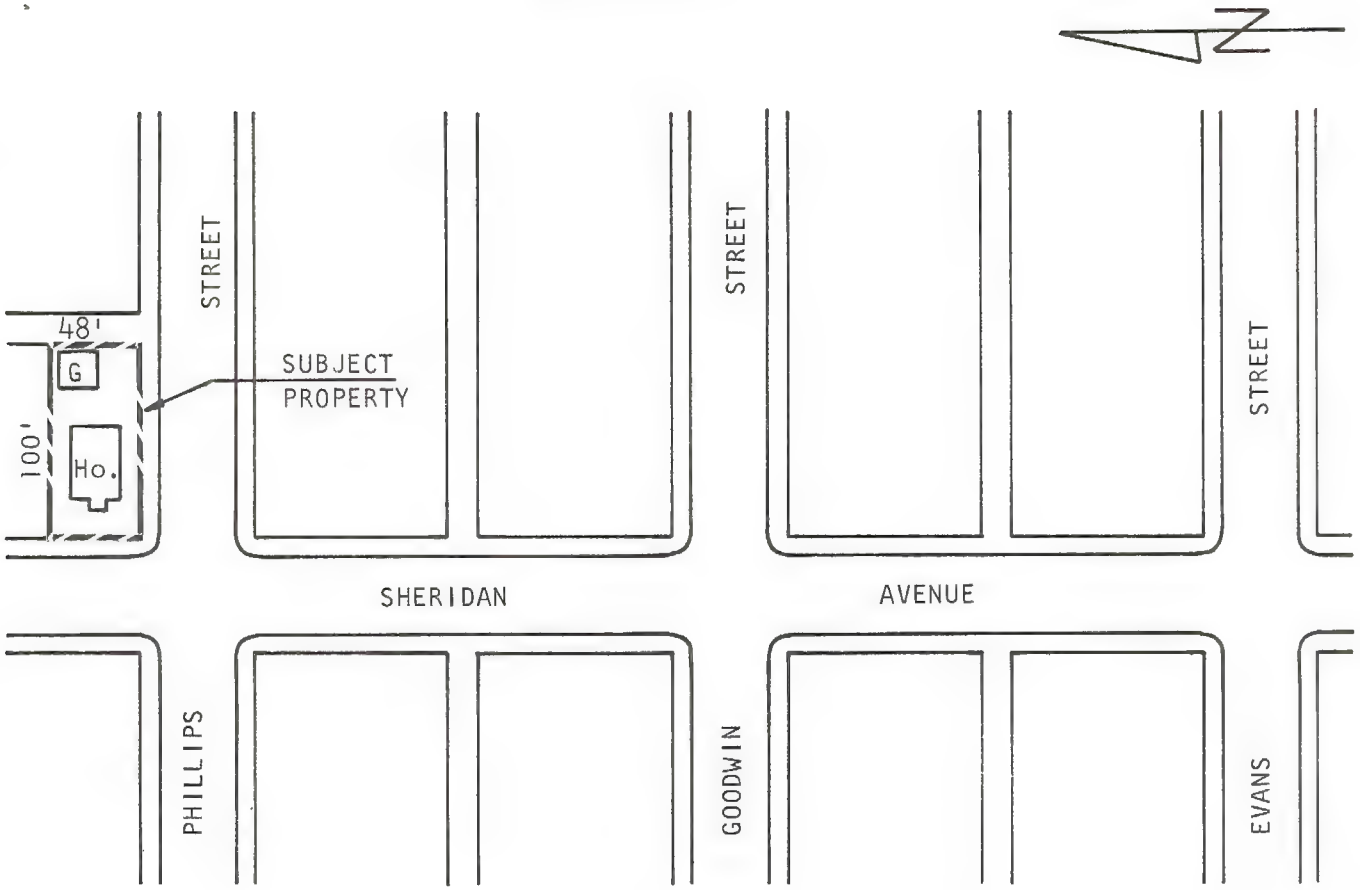

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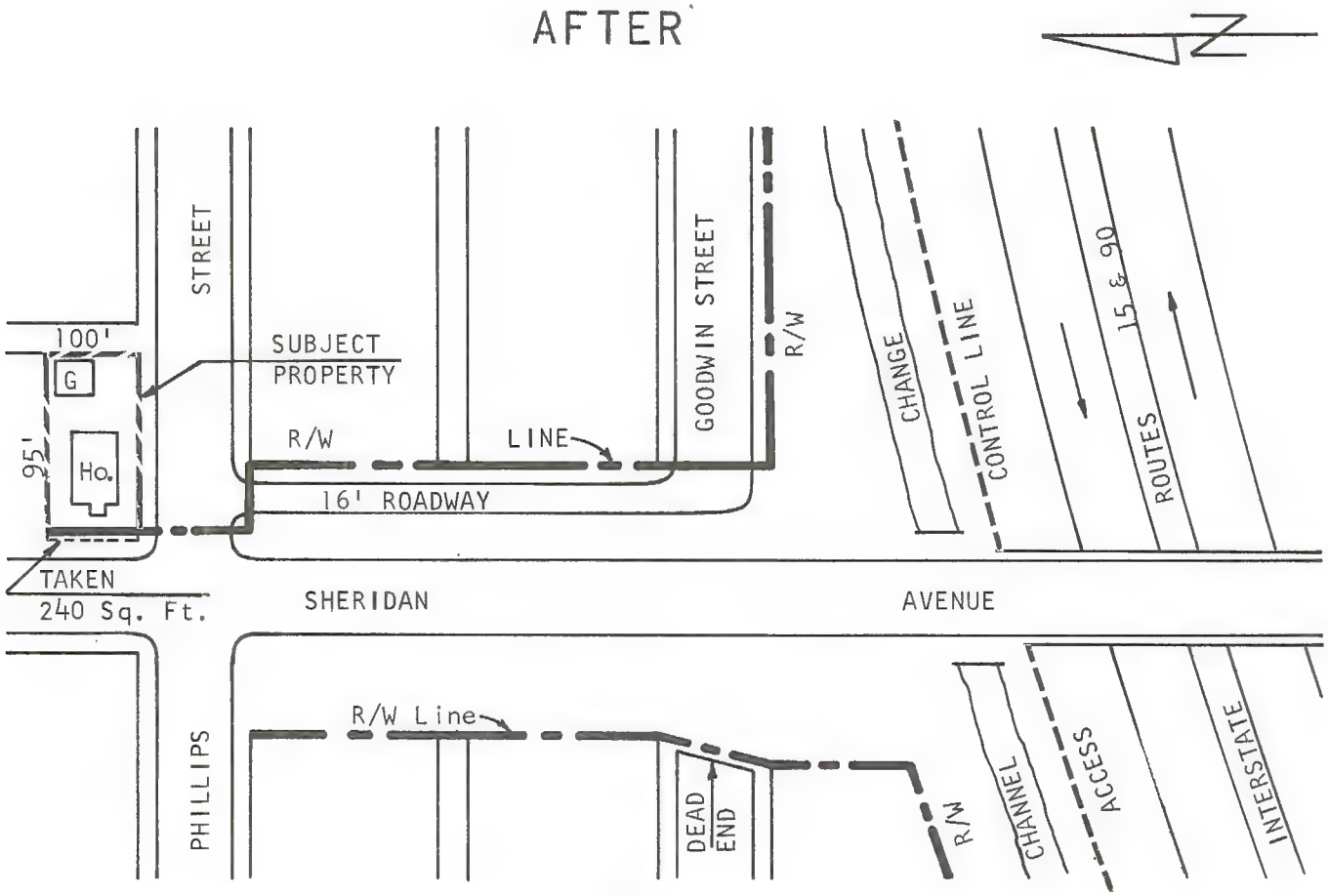

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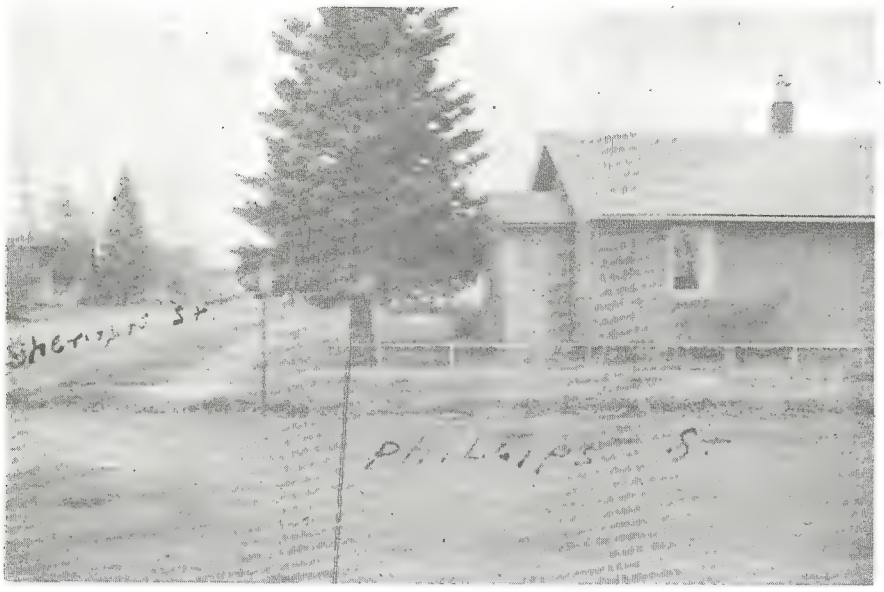

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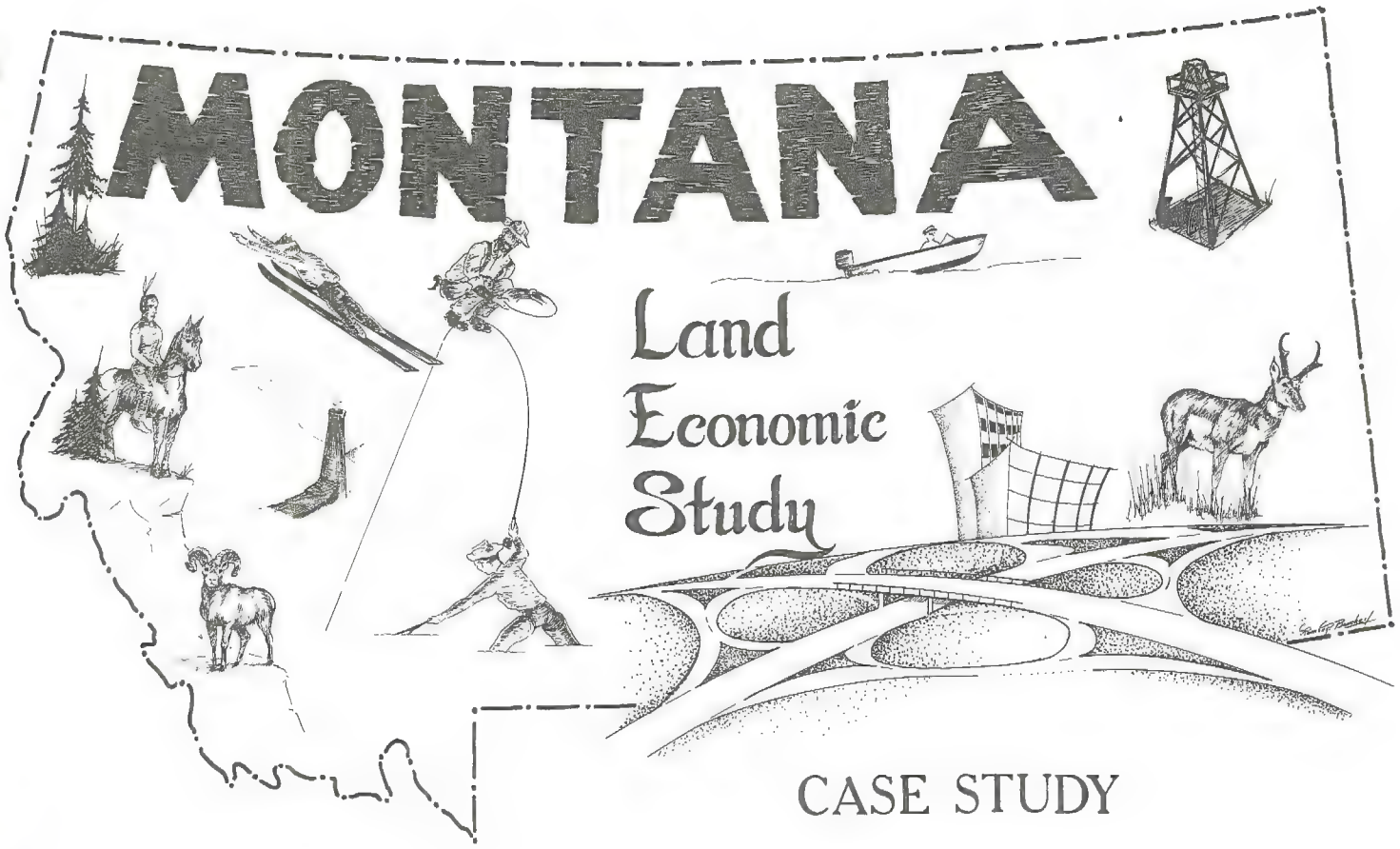

CASE STUDY

NO. 33

VACANT RESIDENTIAL LOTS

CHANGE IN SIZE AND SHAPE

INTERSTATE ROUTES 15 & 90

BUTTE, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

LOCATION

The subject property is located on the north side of Richardson Street between Porter Avenue and Sherman Avenue in the southeast environs of Butte, Montana. Butte, the County Seat of Silver Bow County, had a 1960 population of 27,877.

Properties in the subject neighborhood are not subject to zoning regulations.

NARRATIVE DESCRIPTION OF THE PROPERTY BEFORE THE TAKING

Prior to the State's acquisition, the subject property consisted of 13 vacant lots containing a total of 39,000 square feet of land, having 390 feet of frontage along the north side of Richardson Street, 100 feet of frontage on the east side of Porter Avenue, 100 feet of frontage on the west side of Sherman Avenue and 390 feet of frontage on a platted alley along its north boundary. The streets and alley were not developed or suitable for travel along the subject properties boundaries. The developed portions of Porter and Sherman Avenues ended one-half block north of the subject property. Evans Avenue, the nearest improved east and west street was also located one-half block north of the subject property. Therefore, although there were dedicated streets which could provide access to the subject property, there was in fact no improved means of direct physical access to the site.

Topography of the property was somewhat rough with a dry wash running in an east-west direction through the middle of it. The land along the southerly boundary varied from 0 to approximately 15 feet above the bottom of the wash. North of the wash, the land sloped rather sharply upwards across the northerly half of the block to Evans Street which was approximately 15 feet above the low portions of the subject property.

The highest and best use of the subject property was estimated to be residential.

NARRATIVE DESCRIPTION OF PORTION ACQUIRED FOR RIGHT OF WAY

In August, 1960, the State acquired 9,825 square feet of land from the easterly and southeasterly portion of the subject property in connection with the construction of Interstate Routes 15 and 90 through Butte. The majority of the right of way acquired from this property was for the purpose of constructing a channel change of the dry wash along the northerly side of the Interstate Highway.

The taking included 240 feet of frontage on Richardson Street, 100 feet of frontage on Sherman Avenue and 30 feet of frontage on the alley along the north side of the ownership. The acquisition also included all rights of direct access to the new Interstate Highway and to the channel change area.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER THE TAKING

After the taking, this property contained 29,175 square feet and consisted of five full lots at the westerly end of the ownership and seven partial lots at the easterly end. It had 150 feet of frontage on Richardson Street, 100 feet of frontage on Porter Avenue, and 360 feet of frontage on the alley along the north property line. In addition, it had 270 feet of frontage on the channel change along the northerly side of the Interstate Highway. The Richardson Street frontage and 235 feet on the channel change could be considered as frontage along the Interstate Highway.

Although there is no improved means of physical access to the property, access could be gained by development of Porter Avenue along the west end of the property, and by development of the alley along the north side of the property. Since the access control fence is located south of the center of Richardson Street, it may be possible to develop the northerly half of this street to provide access along the west 150 feet of the remaining Richardson Street frontage, however, in order to do this, it would be necessary to remove a knoll lying between the south line of the property and the traveled lanes of the Interstate Highway, and to lower the access control fence.

The State's appraiser concluded that the remaining easterly 270 feet of the property would experience a loss in value due to the size and shape of the remaining lots and due to the impairment of possible access along Richardson Street.

SALE OF THE REMAINDER

In November, 1964, the entire remainder was sold for a confirmed price of $900. This transaction is recorded on Page 425, Book 301 of Deeds, Silver Bow County Records.

The buyer is a local real estate broker, and at the time of purchase he owned the westerly 330 feet of the north half of the block in which the subject property is located. He said that he was approached by the seller who suggested that he buy the remainder in view of the fact that he owned the only property between the remainder and the nearest improved street. The asking price was $2,000 but the buyer made a counter offer of $900 which was accepted immediately.

The buyer indicated that he may develop Porter Avenue and the alley so that these lots can be sold separately, or he may have the alley vacated and sell the subject remainder with the lots in the north half of the block.

SUMMARY OF APPROVED APPRAISAL (Adjusted to reflect market conditions prevailing at time of sale of the remainder).

BEFORE VALUE:		
Land - 39,000 Sq. Ft. @ $ 0.10	$ 3,900	
TOTAL BEFORE VALUE		$ 3,900
AFTER VALUE:		
Land - 6,000 Sq. Ft. @ $ 0.05	$ 300	
14,175 Sq. Ft. @ $ 0.01+	220	
9,000 Sq. Ft. @ $ 0.10	900	
TOTAL AFTER VALUE		$ 1,420
TOTAL COMPENSATION		$ 2,480
VALUE OF PART TAKEN:		
Land - 9,825 Sq. Ft. @ $ 0.10	$ 980	
TOTAL OF PART TAKEN		$ 980
REDUCTION IN VALUE OF PART NOT TAKEN		$ 1,500

Value of Property Before Taking	$ 3,900
Value of Part Taken	980
BEFORE VALUE OF PART NOT TAKEN	-$ 2,920

CHANGE IN VALUE OF PART NOT TAKEN

	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Not Taken	$ 2,920	$ 2,920
After Value of Part Not Taken	1,420	900
Change in Value of Part Not Taken	-$ 1,500	-$ 2,020
Percent Change in Value	$1,500 / $2,920 -51%	$2,020 / $2,920 -69%

REMARKS

Although the subject property consisted of all 13 lots, comprising the south half of a city block, the State's appraisal included only the east 10 lots of the ownership. It is not known whether the appraiser was unaware of the ownership of the other three lots or whether he felt they were not affected by the acquisition and left them out of the appraisal for that reason. However, since, the sale included the entire remainder, the State's appraisal as presented above, has been adjusted to include the three additional lots in the ownership.

The computation of the change in the value of the part not taken as indicated by the appraisal, is based on the assumption that the appraiser felt that the westerly most three lots would not be reduced in value. If this assumption is not correct, and the omission of the three lots from the appraisal was due to lack of awareness of the extent of the ownership, it appears likely that the appraiser would have anticipated some loss in value to this portion of the ownership. In this case the change in value indicated by the appraisal would more nearly approximate the change in value indicated by the actual sale.

In either event, however, the sale indicates that the remainder did experience a severe loss in value due to lack of utility resulting from the change in shape and impairment of potential means of access.

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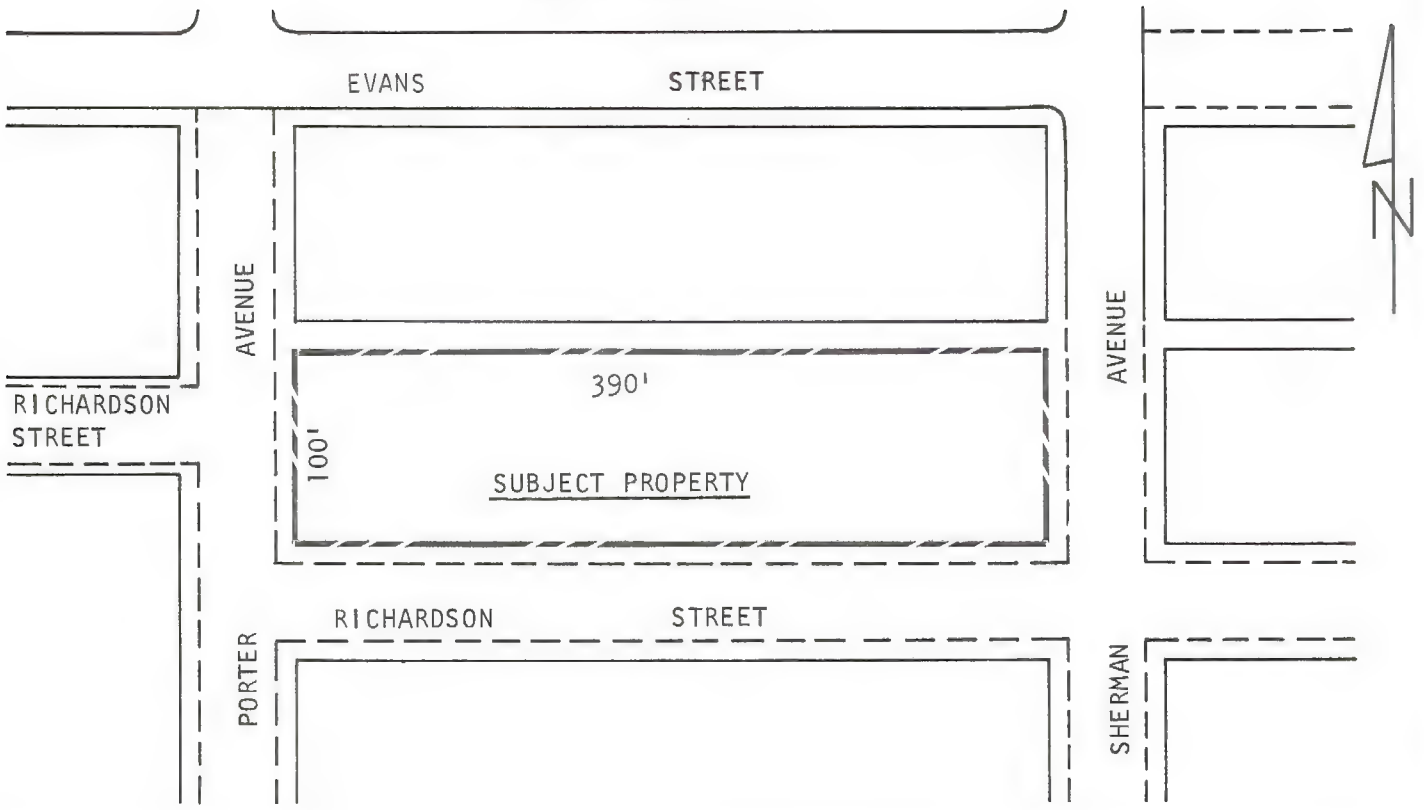

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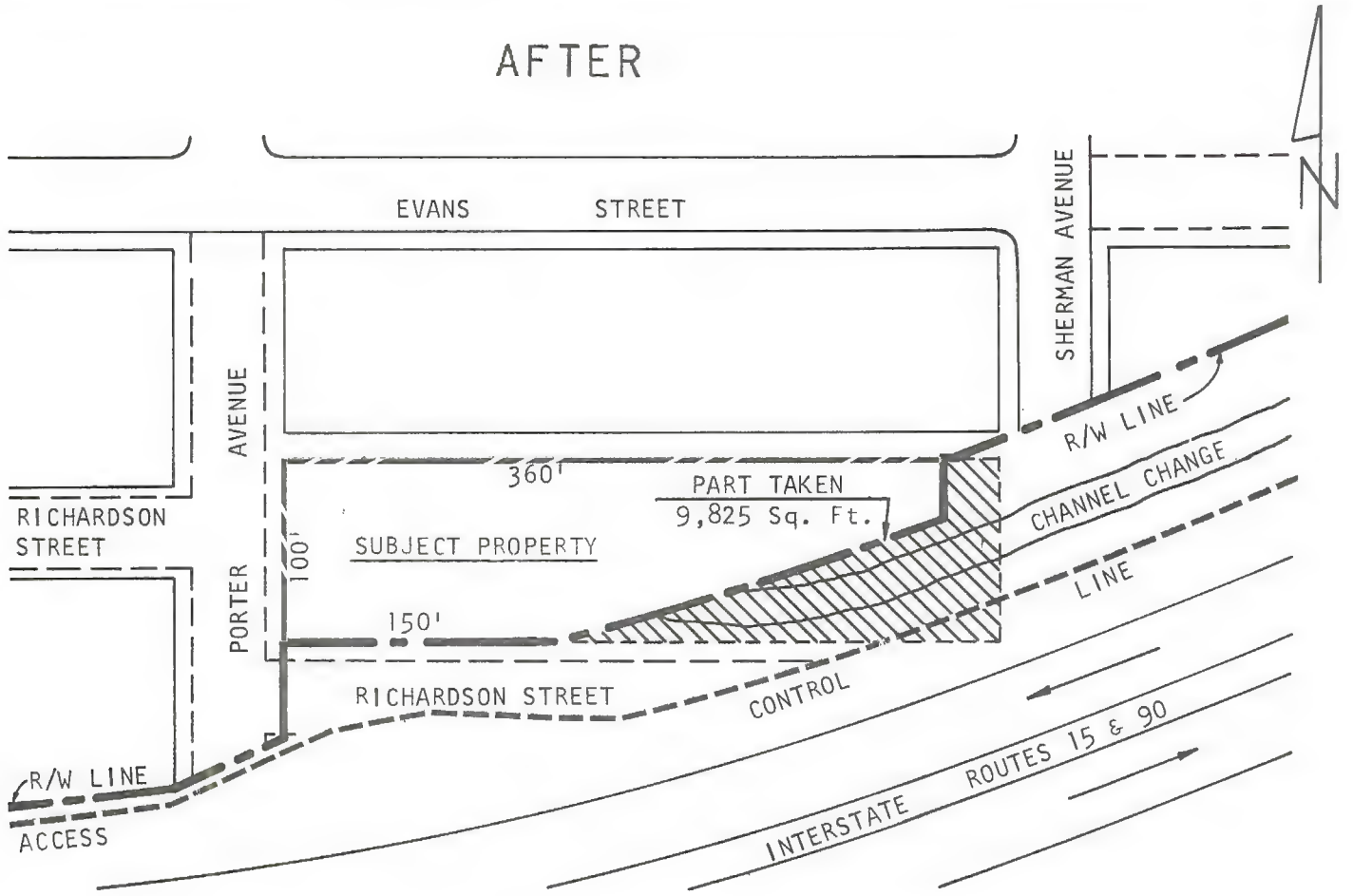

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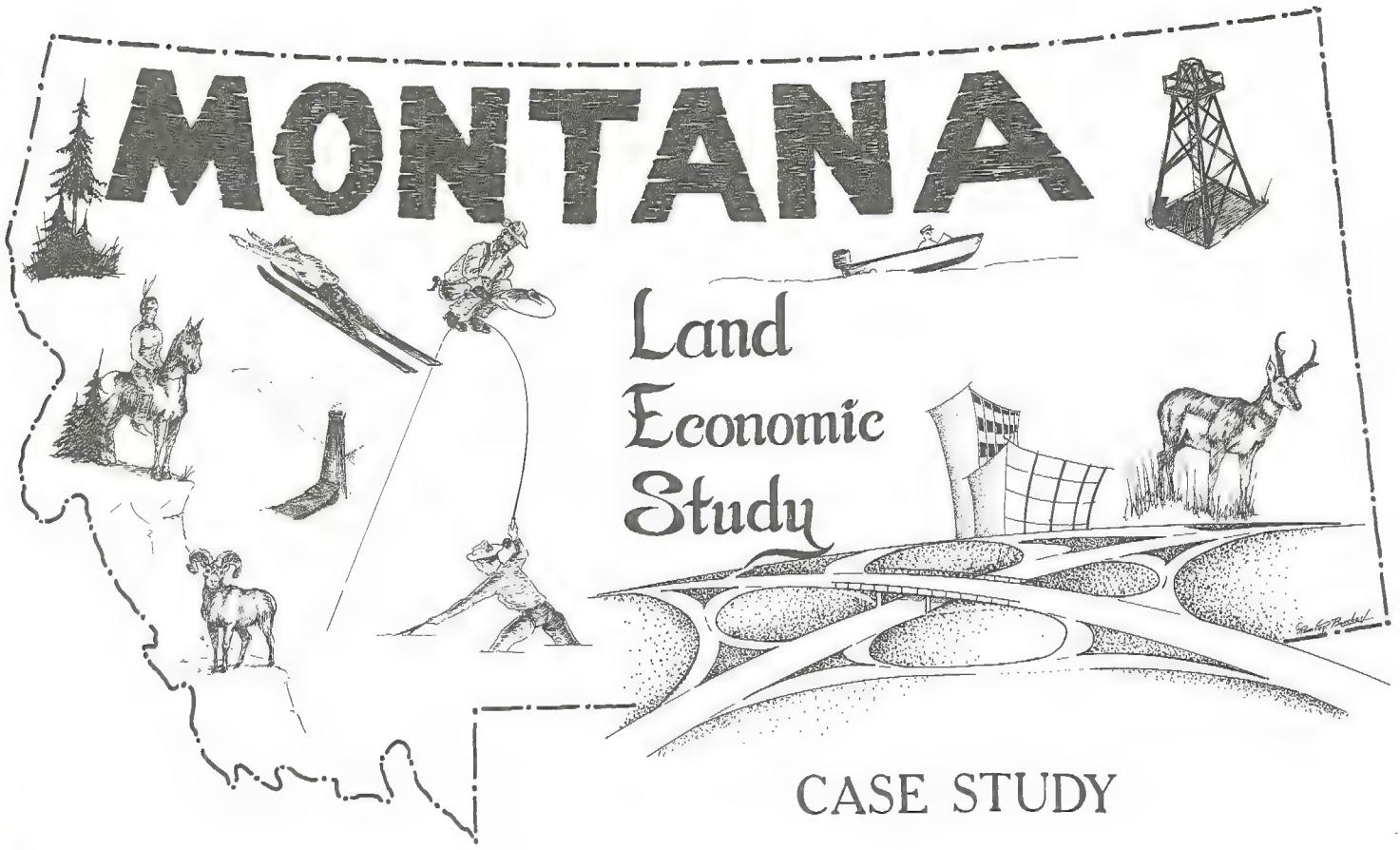

CASE STUDY

NO. 34

COMMERCIAL PROPERTY

CHANGE IN USE AT INTERCHANGE

INTERSTATE ROUTES 15 & 90

BUTTE, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

LOCATION

The subject property is located in the 2900 block on the west side of Harrison Avenue in the City of Butte, Montana. It is just south of the Harrison Avenue interchange on Interstate Routes 15 and 90 and lies between Dewey Boulevard and Samson Street.

Butte is the County Seat of Silver Bow County and had a 1960 population of 27,877.

Properties in the subject neighborhood are not subject to zoning regulations.

NARRATIVE DESCRIPTION OF THE PROPERTY BEFORE THE TAKING

Before the taking, this property contained an area of 27,390 square feet of land having 226 feet of frontage on the west side of Harrison Avenue, approximately 121 feet of frontage on the south side of Dewey Boulevard and approximately 121 feet of frontage on the north side of Samson Street. A bladed alley abutted the west line of the property. The site was approximately on grade with and had direct physical access to the abutting streets and to the alley.

Improvements consisted of several large frame buildings which had been moved onto the property approximately ten years prior to the State's acquisition. The owner's husband had planned to remodel the buildings to serve as a motel but due to his death, this work was not completed and the buildings were unoccupied at the time of acquisition.

Harrison Avenue which is bordered by a strip commercial development is the principle street leading from the southeast portion of Butte to the central business district which is located about $2\frac{1}{2}$ miles northwest of the subject property. It also connects with U.S. Highway No. 10 approximately one-half mile south of the subject property. The commercial development along Harrison Avenue is most intense to the north towards the central business district and thins out south of the subject.

The highest and best use of the property was estimated to be commercial.

NARRATIVE DESCRIPTION OF PORTION ACQUIRED FOR RIGHT OF WAY

In February, 1961, the State acquired the east 5 feet of this property in connection with the construction of Interstate Routes 15 and 90 through the City of Butte. The State's plans included construction of an interchange at the intersection of Harrison Avenue and the Interstate Highway just north of the subject property, and the reconstruction of Harrison Avenue as a four-lane divided facility for a short distance north and south of the interchange. The taking from the subject property was for the Harrison Avenue construction.

The taking did not include any improvements or access rights.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER THE TAKING

After the taking, this property contained an area of 26,260 square feet of land, having 226 feet of frontage along the west side of Harrison Avenue, approximately 116 feet of frontage on the south side of Dewey Boulevard, and approximately 116 feet of frontage on the north side of Samson Street. Building improvements remained the same as described before the taking.

The remaining land was approximately on grade with and had direct access to the abutting streets and to the alley. However, direct access to Harrison Avenue was limited to the south-bound traffic lanes due to the new concrete median divider in front of the property. There is an opening in the divider opposite Dewey Boulevard but there is no opening opposite Samson Street.

The remainder is located in the southwest quadrant of the Harrison Avenue interchange. The interchange is arranged in such a manner that traffic passing directly in front of the subject property on Harrison Avenue is limited to vehicles traveling south on Harrison away from the heart of the City or to east-bound Interstate Highway traffic, either leaving the Interstate Highway in a south-bound direction or entering the Interstate Highway from the north. In any event, traffic passing directly past the subject property is traveling away from the major urban development.

The State's appraisal did not show the estimated highest and best use of the remainder.

SALE OF THE REMAINDER

In September, 1962, a major oil company took an option to purchase the entire remaining land for a confirmed price of $32,000. The option was exercised and a deed was executed in March, 1963. The conveyance is recorded on Page 55, Book 292 of Deeds, Silver Bow County Records.

According to the buyer, the building improvements were retained and removed by the seller. At the time of investigation in January, 1965, a new service station was nearing completion on the site.

SUMMARY OF APPROVED APPRAISAL

Since the sale of the remainder included the vacant land only, all reference to the building improvements and their contribution to the value of the property has been omitted from the following tabulation. The appraisal has been adjusted to reflect market conditions prevailing at the time of the sale.

BEFORE VALUE:		
Land - 27,390 Sq. Ft. @ $ 0.85	$23,280	
TOTAL BEFORE VALUE		$23,280
AFTER VALUE:		
Land - 26,260 Sq. Ft. @ $ 0.765	$20,090	
TOTAL AFTER VALUE		$20,090
TOTAL COMPENSATION		$ 3,190
VALUE OF PART TAKEN:		
Land - 1,130 Sq. Ft. @ $ 0.85	$ 960	
TOTAL OF PART TAKEN		$ 960
REDUCTION IN VALUE OF PART NOT TAKEN		$ 2,230

Value of Property Before Taking	$23,280
Value of Part Taken	960
BEFORE VALUE OF PART NOT TAKEN	$22,320

CHANGE IN VALUE OF PART NOT TAKEN

	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Not Taken	$22,320	$22,320
After Value of Part Not Taken	20,090	32,000
Change in Value of Part Not Taken	-$ 2,230	+$ 9,680
Percent Change in Value	$2,230 / $22,320 -10%	$9,680 / $22,320 +43%

REMARKS

Because of its location with respect to a major Interstate Highway interchange, the remaining subject land experienced an increase in value rather than a loss in value as predicted by the appraiser.

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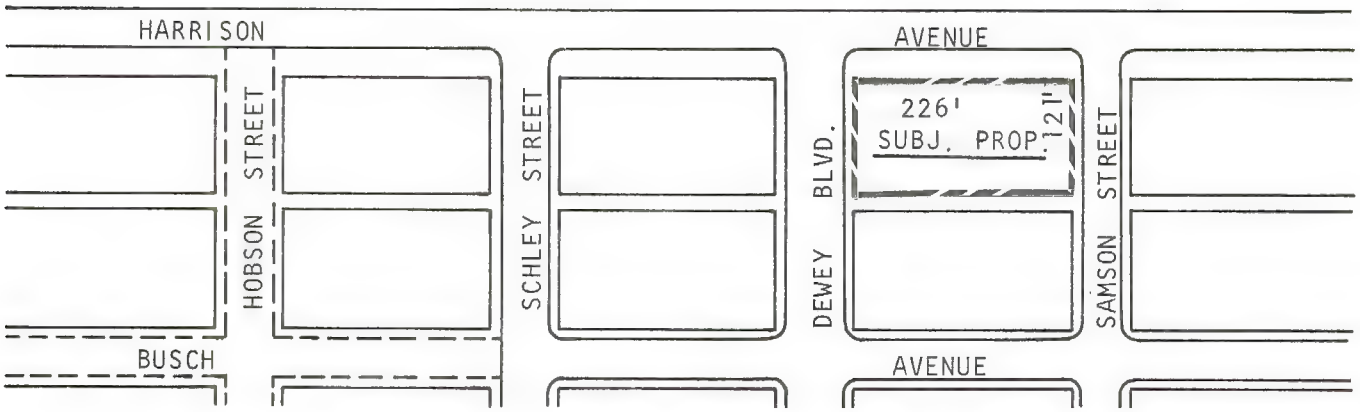

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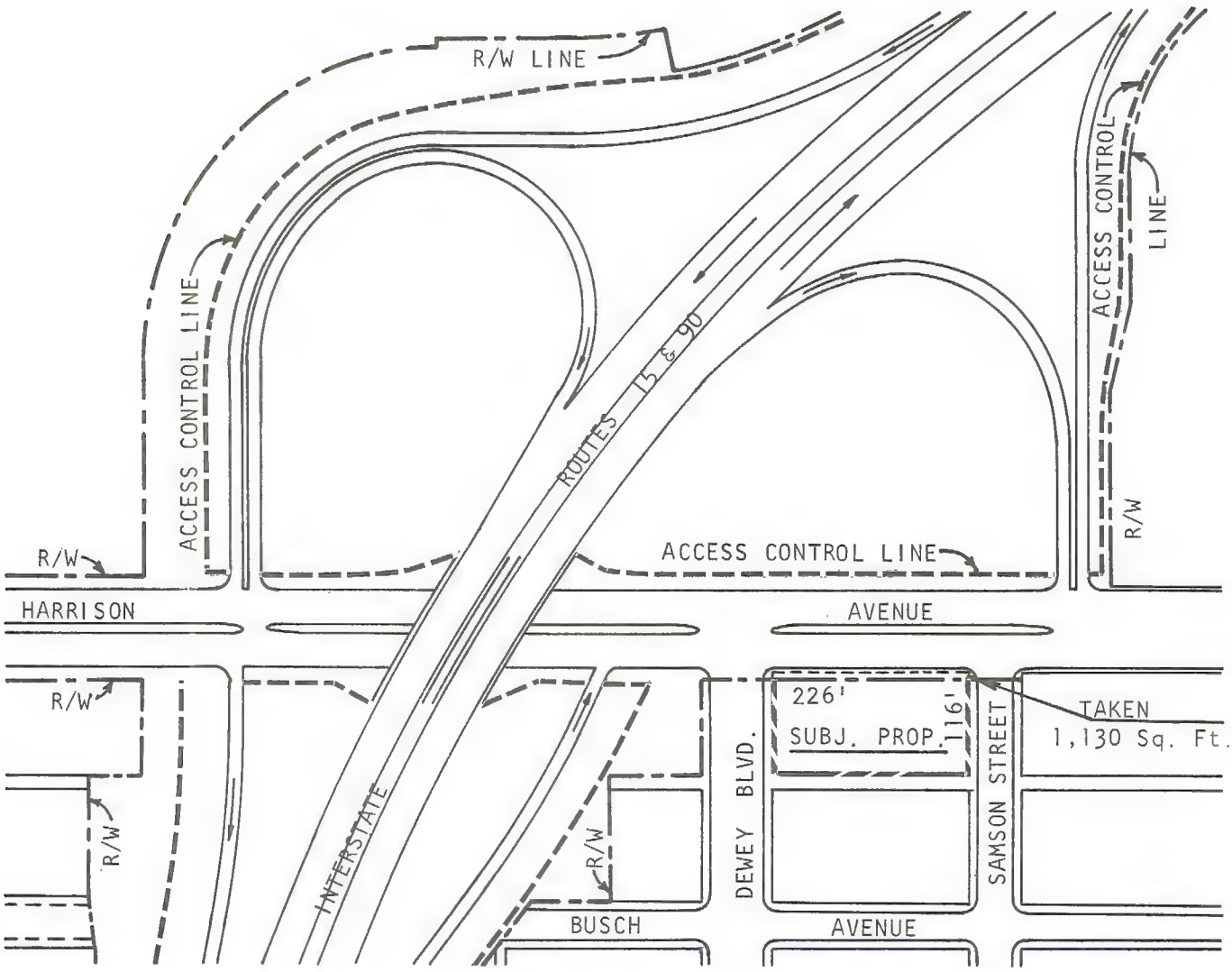

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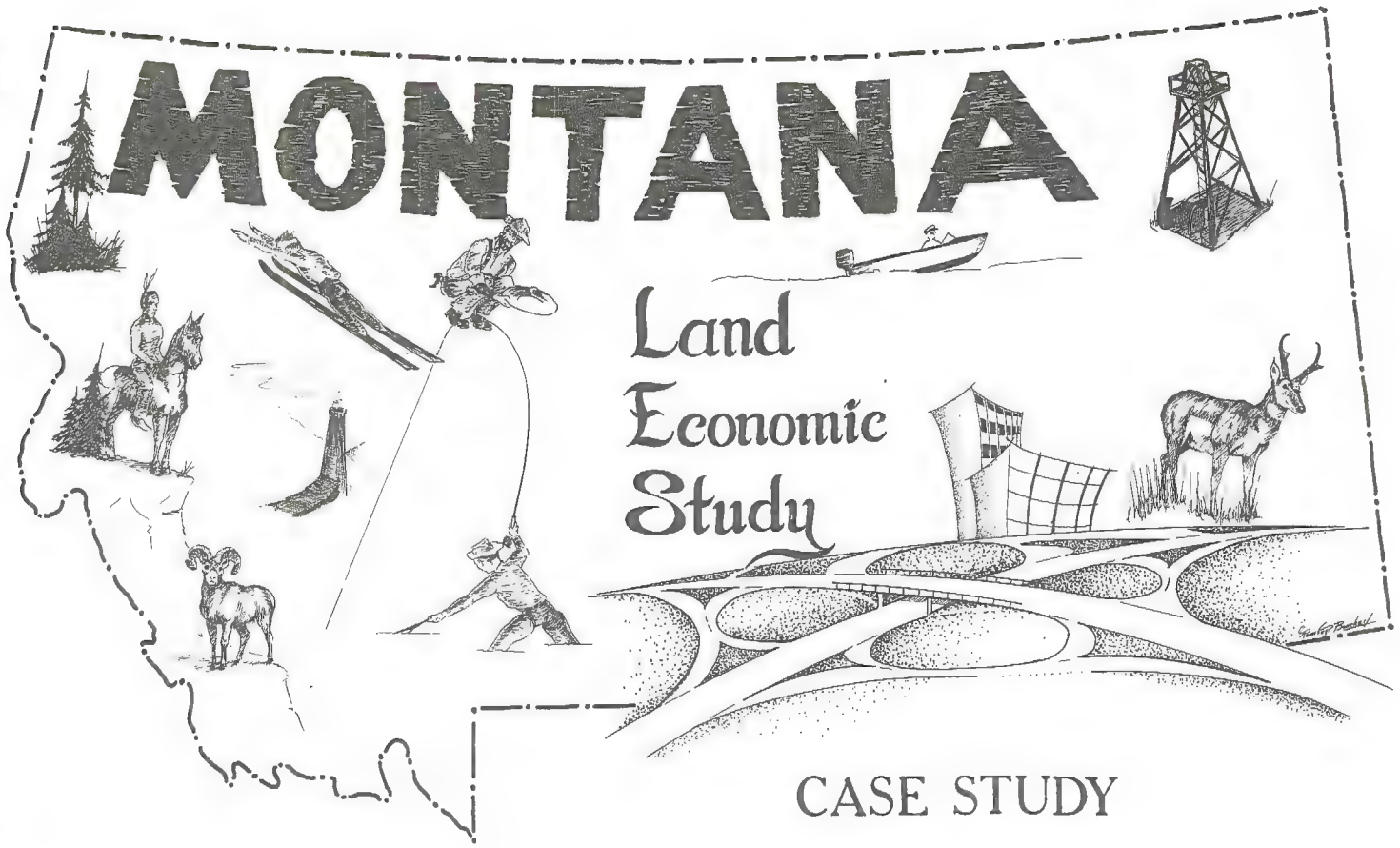


CASE STUDY

NO. 35

COMMERCIAL PROPERTY

CHANGE IN USE AT INTERCHANGE

INTERSTATE ROUTES 15 & 90

BUTTE, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

LOCATION

The subject property is located in the 2600 block on the west side of Harrison Avenue in Butte, Montana. It is immediately north of the Harrison Avenue Interchange on Interstate Routes 15 and 90.

Butte is the County Seat of Silver Bow County and had a 1960 population of 27,877.

Properties in the subject neighborhood are not subject to zoning regulations.

NARRATIVE DESCRIPTION OF THE PROPERTY BEFORE THE TAKING

Prior to the State's acquisition, the subject property contained 27,194.4 square feet of land, having 216 feet of frontage on the west side of Harrison Avenue, 125.9 feet of frontage on the south side of Evans Street, and 125.9 feet of frontage on the north side of Hobson Street. It also had 216 feet of frontage on an alley along the west property line. Evans Street, Hobson Street, and the alley were not developed or opened to travel. Harrison Avenue is the main traffic arterial between the southeast portion of Butte and the central business district located approximately $2\frac{1}{2}$ miles northwest of the subject property. Harrison Avenue is bordered by a strip commercial development which is most intense north of the subject property and begins to thin out south of the subject property.

The subject property met Harrison Avenue at-grade, but sloped downward to the west so that the majority of the site was between three and four feet below street grade. The property had direct physical access to Harrison Avenue.

Building improvements consisted of a single story, wood frame residence containing 905 square feet, a separate one-car garage, and four sheds. The buildings were in fair to poor condition. Site improvements consisted of the lawn, a small garden, a fence and several lilac bushes.

The highest and best use of the property was estimated to be commercial.

NARRATIVE DESCRIPTION OF PORTION ACQUIRED FOR RIGHT OF WAY

In November, 1960, the State acquired 9,461.7 feet of land from the subject property for the construction of Interstate Routes 15 and 90 through the City of Butte. The taking consisted of the south 63 feet and the east 10 feet of the north 153 feet of the property.

The State's plans called for an interchange to be constructed at the intersection of the Interstate Highway with Harrison Avenue just south of the subject. The proposed construction included the reconstruction of Harrison Avenue as a four lane divided facility for a short distance north and south of the interchange. The taking from the subject property was for the purpose of widening Harrison Avenue and for the relocation of a creek channel along the northerly side of the Interstate Highway.

The taking from the subject property did not include any access rights, and the only improvements taken were a small amount of fencing and lawn area.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER THE TAKING

After the taking, the subject property contained 17,732.7 square feet of land. It had 153 feet of frontage along the west side of Harrison Avenue, 115.9 feet of frontage along the south side of Evans Street, 115.9 feet of frontage along the north side of Bell Creek, which had been relocated in the course of the new highway construction, and 153 feet of frontage on an alley along the west property line. Evans Street and the alley remained undeveloped and unsuitable for travel.

The remainder met Harrison Avenue at-grade, but sloped away to the west so that the largest part of the property was still three to four feet below street grade.

With the exception of a small amount of fence and lawn area, the improvements remained the same as described before the taking.

The remainder is located in the northwest quadrant of the Harrison Avenue Interchange and all traffic originating to the north must pass directly in front of the subject property in order to enter the interchange.

SALE OF THE REMAINDER

In January, 1964, a major oil company took an option to purchase the entire remainder for a confirmed price of $27,500. The deed was executed in July, 1964 and is recorded on Page 353, Book 299 of Deeds, Silver Bow County Records.

The buyer advises that the existing buildings were removed at no expense and that there was no net salvage value to the improvements. He further advises that his company expended an additional $3,000 to $5,000 to fill the remainder above street grade. A new service station has been constructed on the site.

SUMMARY OF APPROVED APPRAISAL

The State's appraisal has been adjusted to reflect market conditions prevailing at the time of the sale of the remainder.

BEFORE VALUE:

Land - 27,194.4 Sq. Ft. @ $ 0.77	$20,940	
Improvements - House	6,300	
Garage	520	
Sheds	635	
Site Improvements	900	
TOTAL BEFORE VALUE		$29,300

AFTER VALUE:

Land - 17,732.7 Sq. Ft.	$ 9,400	
Improvements - House	5,660	
Garage	465	
Sheds	575	
Site Improvements	695	
TOTAL AFTER VALUE		$16,800
TOTAL COMPENSATION		$12,500

	TOTAL COMPENSATION	$12,500
VALUE OF PART TAKEN:		
Land - 9,461.7 Sq. Ft. @ $ 0.77	$ 7,285	
Improvements - Site Improvements	170	
	TOTAL OF PART TAKEN	$ 7,455
	REDUCTION IN VALUE OF PART NOT TAKEN	$ 5,045
Value of Property Before Taking	$29,300	
Value of Part Taken	7,455	
BEFORE VALUE OF PART NOT TAKEN	$21,845	

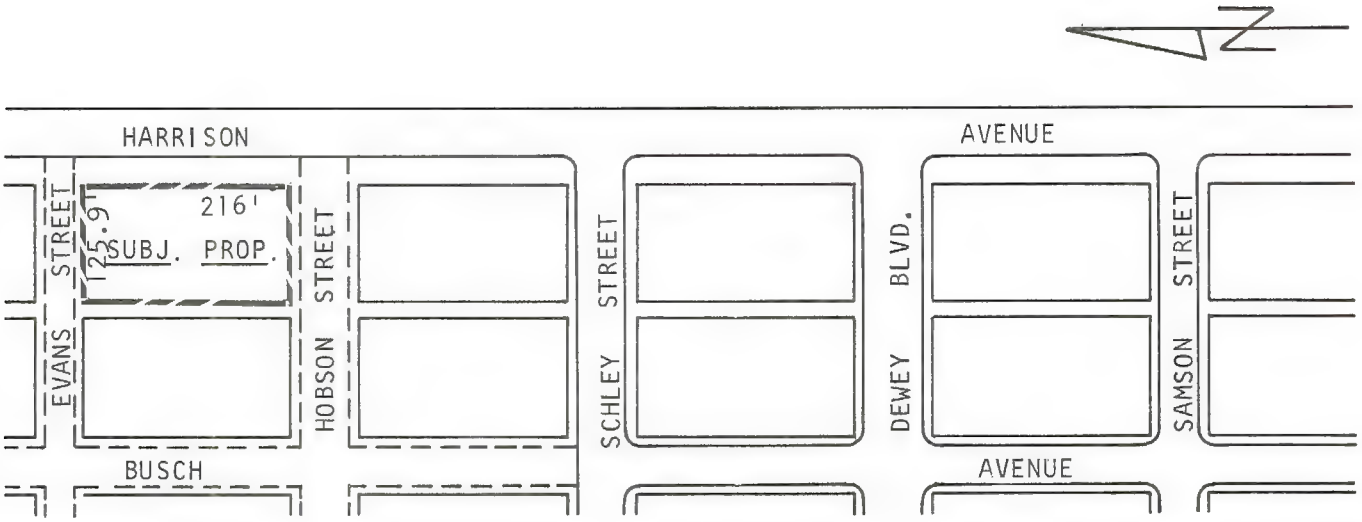
CHANGE IN VALUE OF PART NOT TAKEN

	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Not Taken	$21,845	$21,845
After Value of Part Not Taken	16,800	27,500
CHANGE IN VALUE OF PART NOT TAKEN	-$ 5,045	+$ 5,655
Percent Change in Value	$5,045 / $21,845 -23%	$5,655 / $21,845 +26%

REMARKS

Instead of suffering a loss in value as predicted by the appraiser, the value of the land increased to the point where it exceeded the value of the property as then improved. Due to the increased value of the land, the existing improvements no longer contributed to the value of the property and they had to be removed in order to make way for a new and proper improvement.

BEFORE



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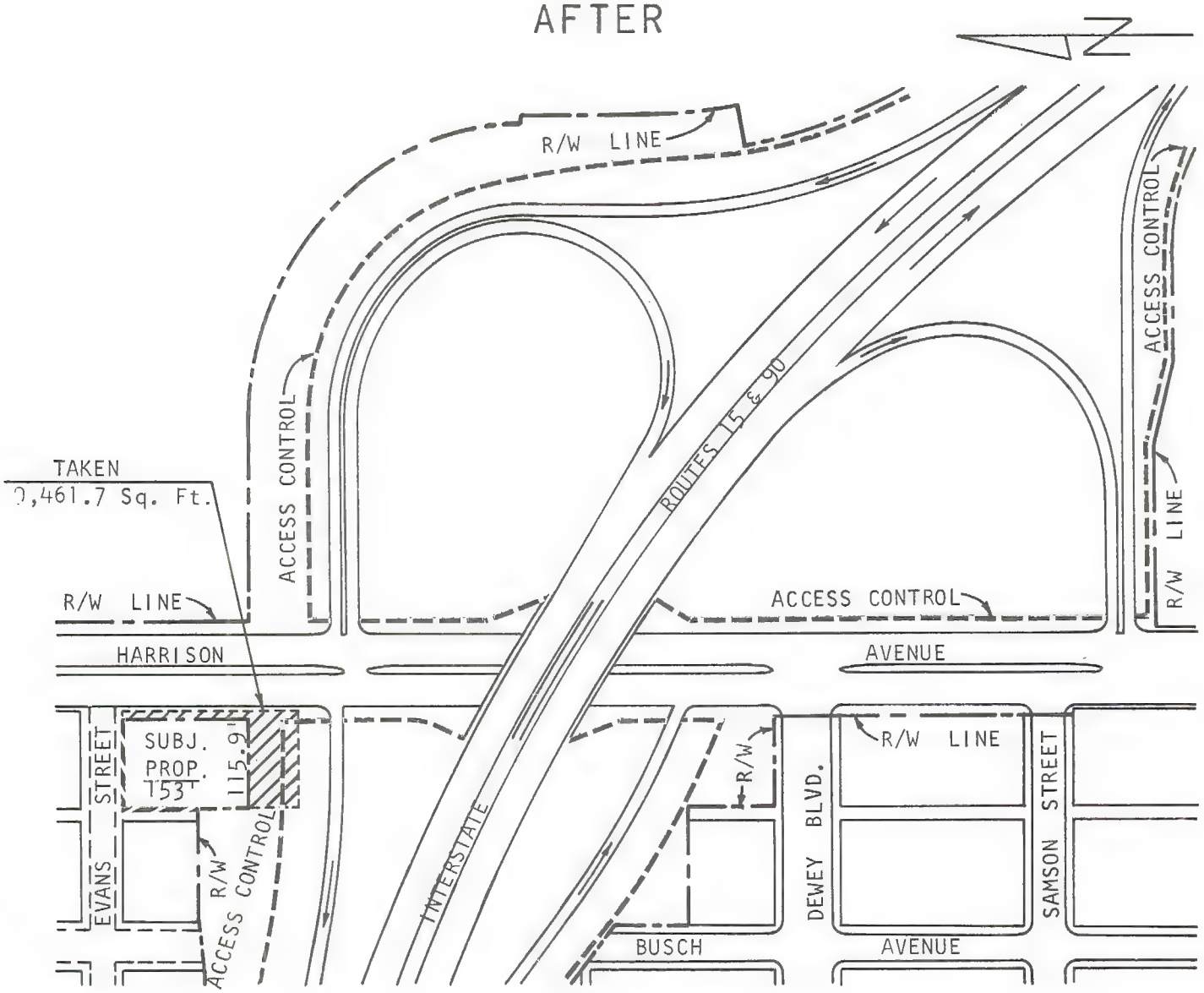
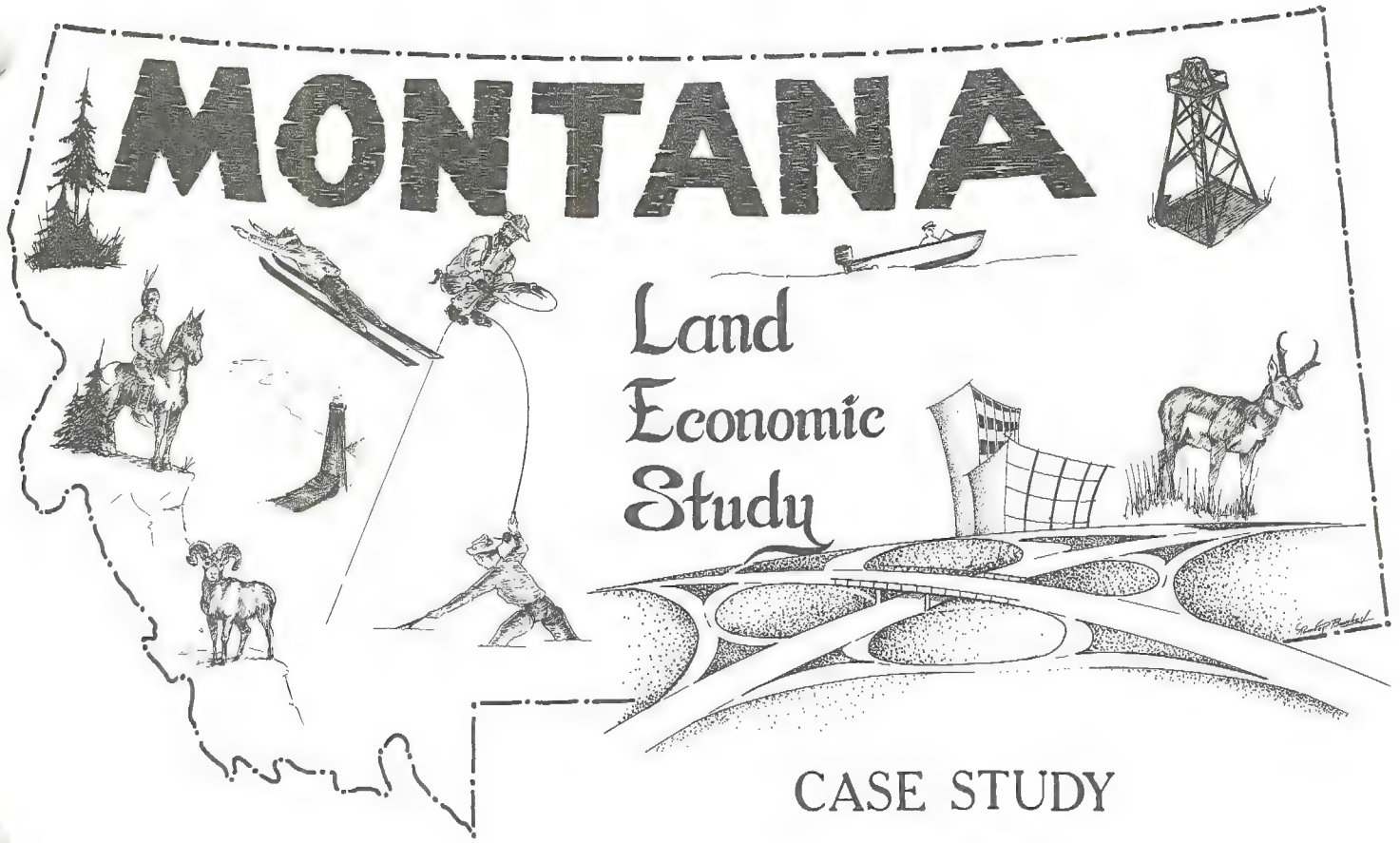


BEFORE

NOT AVAILABLE

AFTER

AFTER



CASE STUDY

NO. 36

COMMERCIAL PROPERTY

CHANGE IN USE AT INTERCHANGE

INTERSTATE ROUTES 15 & 90

BUTTE, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

LOCATION

The subject property is located on the east side of Harrison Avenue in Butte, Montana, immediately south of the Harrison Avenue interchange on Interstate Routes 15 and 90. This location is in the southerly environs of Butte and is adjacent to, but outside of, the corporate limits of the City.

Butte is the County Seat of Silver Bow County and had a 1960 population of 27,877.

Properties in the subject neighborhood are not subject to zoning regulations.

NARRATIVE DESCRIPTION OF THE PROPERTY BEFORE THE TAKING

Before the taking, the subject property was a large irregular shaped tract having an area of 209,680 square feet or 4.81 acres. It had 180 feet of frontage on the east side of Harrison Avenue and had a depth back from Harrison Avenue of 575 feet. The maximum north and south width of the property was approximately 380 feet. The Harrison Avenue frontage was at street grade and the remainder of the property varied from approximately two feet above street grade to approximately eight feet below the Harrison Avenue grade at the east property line. It had unrestricted direct physical access to Harrison Avenue.

The property was used as a tourist court and was improved with two single family residences, a small grocery store, 36 tourists' cabins, 20 trailer stalls, a wash room and lavoratory, and a storage building.

Harrison Avenue is the principle street leading from the southeast portion of the City of Butte to the central business district which is approximately located $2\frac{1}{2}$ miles northwest of the subject property. It also connects with U.S. Highway No. 10 approximately $\frac{1}{2}$ mile south of subject property. Harrison Avenue is bordered by a strip commercial development which is most intense to the north towards the central business district and thins out south of the subject property.

The highest and best use of the property was estimated to be as a tourist park.

NARRATIVE DESCRIPTION OF PORTION ACQUIRED FOR RIGHT OF WAY

In June, 1961, the State acquired 2,556 square feet of land from the northeast corner of the subject property for the construction of Interstate Routes 15 and 90 through the City of Butte. The State's plans included the construction of an interchange at the intersection of the Interstate Highway and Harrison Avenue, immediately north of the subject property.

The acquisition included all rights of direct access to the new Interstate Highway.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER THE TAKING

Subsequent to the State's acquisition, the subject property contained 207,124 square feet or 4.75 acres of land. The Harrison Avenue frontage and the depth and width of the property remained the same as described before the taking. The building improvements also remained the same as described before the taking.

In addition to the frontage on Harrison, the subject property is now located in the southeast quadrant of the Harrison Interchange on Interstate Routes 15 and 90 and has approximately 422 feet of frontage on, but no direct physical access to, the new highway. The Interstate Highway frontage is on the south side of an entrance ramp leading to the east-bound traffic lanes. The remainder is approximately on grade with the entrance ramp at the west property line and is approximately 12 feet below the grade of the Interstate Highway at the east property line. Access to Harrison Avenue remains unchanged.

The highest and best use of the remainder was estimated to be the same as before the taking.

SALE OF THE REMAINDER

In March, 1964, a major oil company took an option to purchase the entire remaining land for a confirmed price of $105,000. The deed was executed in September, 1964, and is recorded on Page 477, Book 300 of Deeds of Silver Bow County Records.

The improvements were retained by the seller and were being removed at the time of investigation in January, 1965.

The buyer advises that the property was acquired for the purpose of constructing a new service station and a large motel and restaurant. The new construction is scheduled to begin in March, 1965.

SUMMARY OF APPROVED APPRAISAL

Since the sale involved the subject land only and it is not known whether there is any salvage value to the buildings, the following tabulation will omit any reference to building improvements.

BEFORE VALUE:

Land - 71,500 Sq. Ft. @ $ 0.20	$14,300	
138,180 Sq. Ft. @ $ 0.40	55,270	
TOTAL BEFORE VALUE		$69,570

AFTER VALUE:

Land - 16,554 Sq. Ft. @ $ 0.15	$ 2,480	
52,390 Sq. Ft. @ $ 0.20	10,480	
138,180 Sq. Ft. @ $ 0.40	55,270	
TOTAL AFTER VALUE		$68,230
TOTAL COMPENSATION		$ 1,340

VALUE OF PART TAKEN:

Land - 2,556 Sq. Ft. @ $ 0.20	$ 510	
TOTAL OF PART TAKEN		$ 510
REDUCTION IN VALUE OF PART NOT TAKEN		$ 830

Value of Property Before Taking	$69,570
Value of Part Taken	510
BEFORE VALUE OF PART NOT TAKEN	$69,060

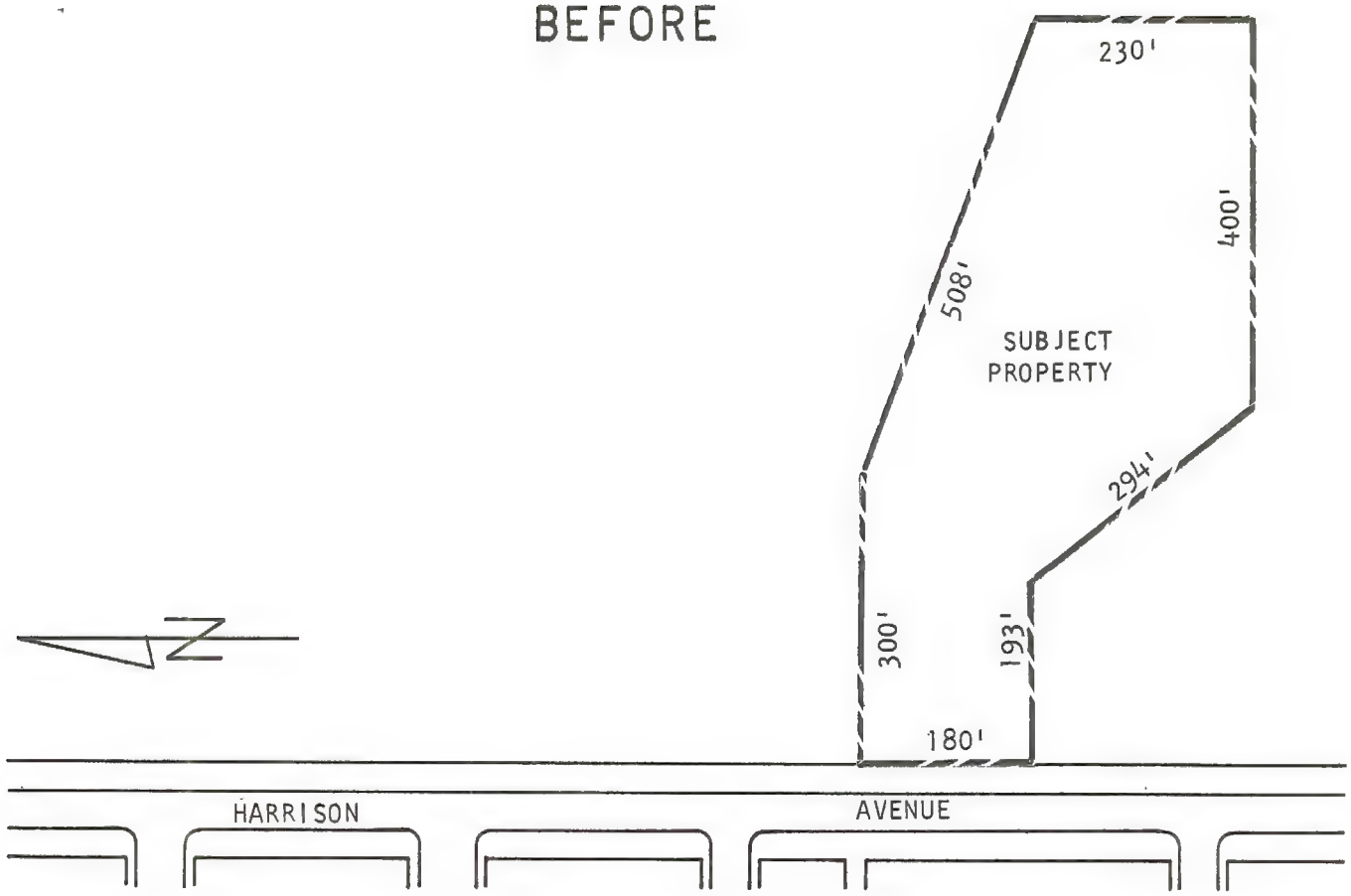
CHANGE IN VALUE OF PART NOT TAKEN

	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Not Taken	$69,060	$ 69,060
After Value of Part Not Taken	68,230	105,000
Change in Value of Part Not Taken	-$ 830	+$ 35,940
Percent Change in Value	$830 / $69,060 -1%	$35,940 / $69,060 +52%

REMARKS

Because of its advantageous location with respect to the new Interstate Highway Interchange, the remaining land of the subject property experienced a substantial increase in value rather than a loss in value as predicted by the appraiser. In fact, the value of the land increased to the point where the existing improvements no longer contributed to the value of the property and had to be removed in order to make way for a new and proper improvement.

BEFORE



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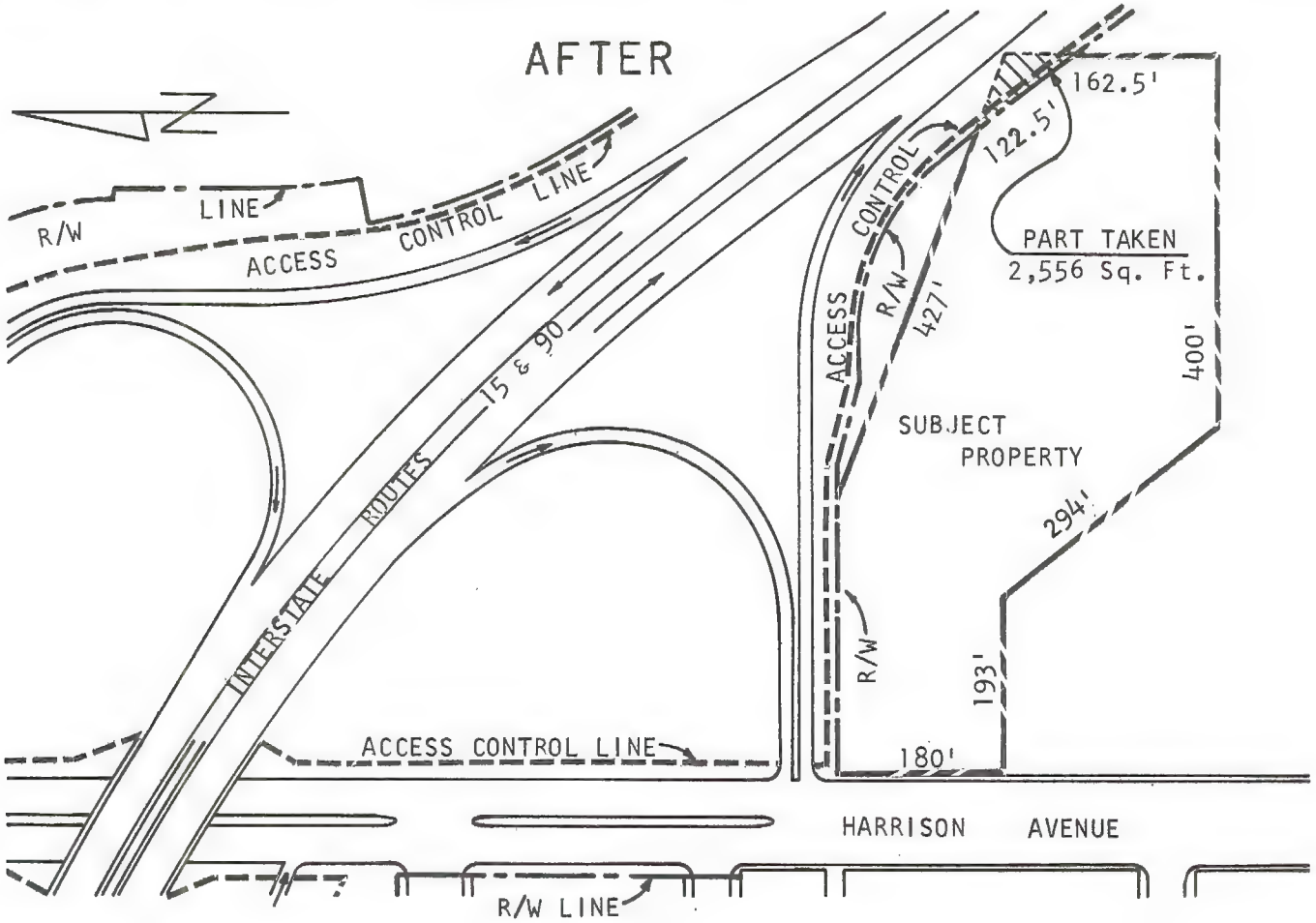

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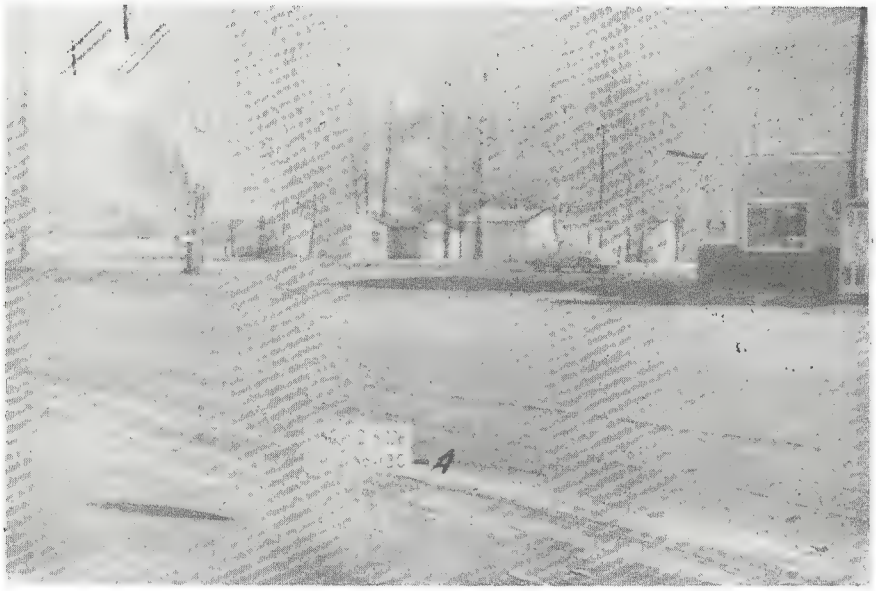
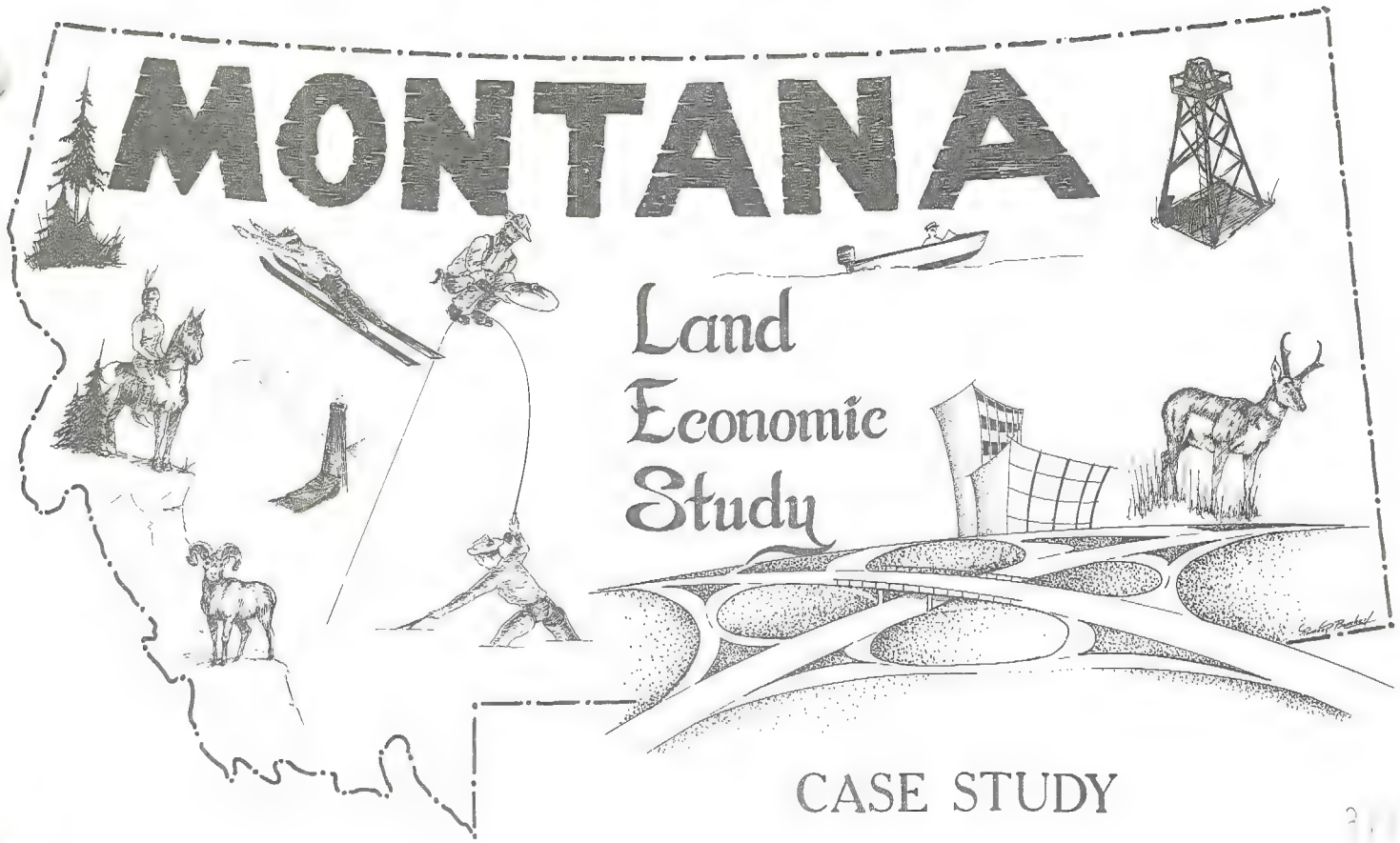


AFTER

AFTER



CASE STUDY

NO. 37

SMALL FARM

PORTION LANDLOCKED

INTERSTATE ROUTE 90

BELGRADE, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

LOCATION

The subject property is on the east side of State Secondary Route 291, one-fourth of a mile south of Belgrade, Montana. The town of Belgrade, which had a 1960 population of 1,057, is approximately 10 miles northwest of Bozeman, Montana. Bozeman is the County Seat of Gallatin County and had a 1960 population of 13,361.

NARRATIVE DESCRIPTION OF THE PROPERTY BEFORE THE TAKING

Before the taking, this property contained 72 acres of irrigated hay and pasture land and was being used for agricultural purposes in connection with a small dairy herd. Building improvements included a two story frame dwelling, a garage, a barn, and other farm buildings.

The property had approximately 794 feet of frontage along the east side of State Secondary Route No. 291 and had direct physical access to this facility. The building improvements were located on the northwest corner of the property, adjacent to the highway.

The highest and best use of the subject property was estimated to be for agricultural purposes.

NARRATIVE DESCRIPTION OF PORTION ACQUIRED FOR RIGHT OF WAY

In December, 1963, the State acquired 5.63 acres of land from this property for the construction of Interstate Route 90. None of the building improvements were acquired by the State. The taking ran diagonally in a northwest to southeast direction across the northeast corner of the property leaving remainders on each side of the right of way. Plans called for a frontage road to be constructed along the southerly side of the new highway, but no provision was made for access to the northerly remainder. The taking included all rights of direct access to the new facility with the exception of access to the frontage road.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER THE TAKING

After the taking, the property contained an area of 66.37 acres of which 1.61 acres were landlocked on the northerly side of the new highway. The southerly remainder, which contained 64.76 acres of irrigated land and all of the building improvements, still has 794 feet of frontage along, and direct physical access to State Secondary Route 291. In addition, this remainder now has approximately 1,741 feet of frontage along, and the right of access to, the new frontage road along the south side of the Interstate highway where it crosses the northeast corner of the property.

A full interchange is being constructed just north of the subject property at the intersection of Interstate Route 90 and Secondary Route 291 with the nearest entrance and exit ramps located approximately 400 feet north of the subject.

The highest and best use of the remainder was estimated to be for agricultural purposes.

SALE OF THE REMAINDER

In February, 1965, the entire remainder sold for a confirmed price of $16,000. The Deed for this transaction is recorded on Page 489, in Book 147 of Deeds, Gallatin County Records.

In an interview with the buyer, it was learned that the property was purchased as a part-time or subsistent farm and a home for his son who had been paying high rent for a house in Bozeman. He said that the location of the property with respect to the Interstate Highway Interchange influenced his decision to acquire this particular property because the new highway would provide rapid transit to Bozeman. He also thinks there is a strong possibility that there will be a future demand for a portion of this property for commercial use.

SUMMARY OF APPROVED APPRAISAL

BEFORE VALUE:

Land - 72 Acres @ $200	$14,400	
Improvements - All	3,400	
TOTAL BEFORE VALUE		$17,800

AFTER VALUE:

Land - 63.86 Acres @ $200	$12,772	
0.90 Acres @ Lump Sum	1	
1.61 Acres @ Lump Sum	75	
Less Cost to Cure (Fencing)	-259	
Improvements - All	3,400	
TOTAL AFTER VALUE		15,989
TOTAL COMPENSATION		$ 1,811

VALUE OF PART TAKEN:

Land - 5.63 Acres @ $200	$ 1,126	
TOTAL OF PART TAKEN		1,126
REDUCTION IN VALUE OF PART NOT TAKEN		$ 685

Value of Property Before Taking	$17,800
Value of Part Taken	1,126
Before Value of Part Not Taken	$16,674

CHANGE IN VALUE OF PART NOT TAKEN

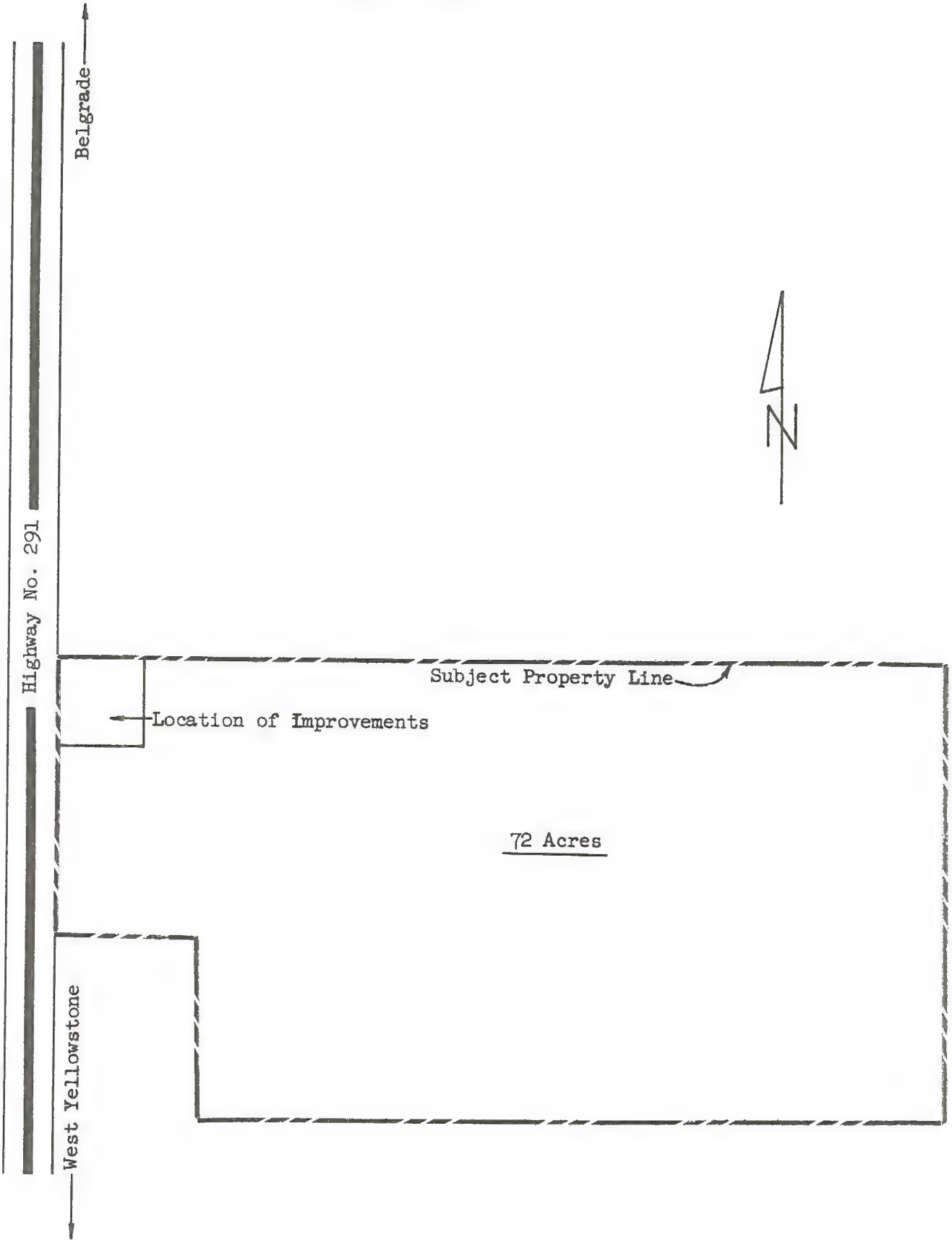
	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Not Taken	$16,674	$16,674
After Value of Part Not Taken	15,989	16,000
Change in Value of Part Not Taken	-$ 685	-$ 674
Per Cent Change in Value	$685 / $16,674 -4%	$674 / $16,674 -4%

REMARKS

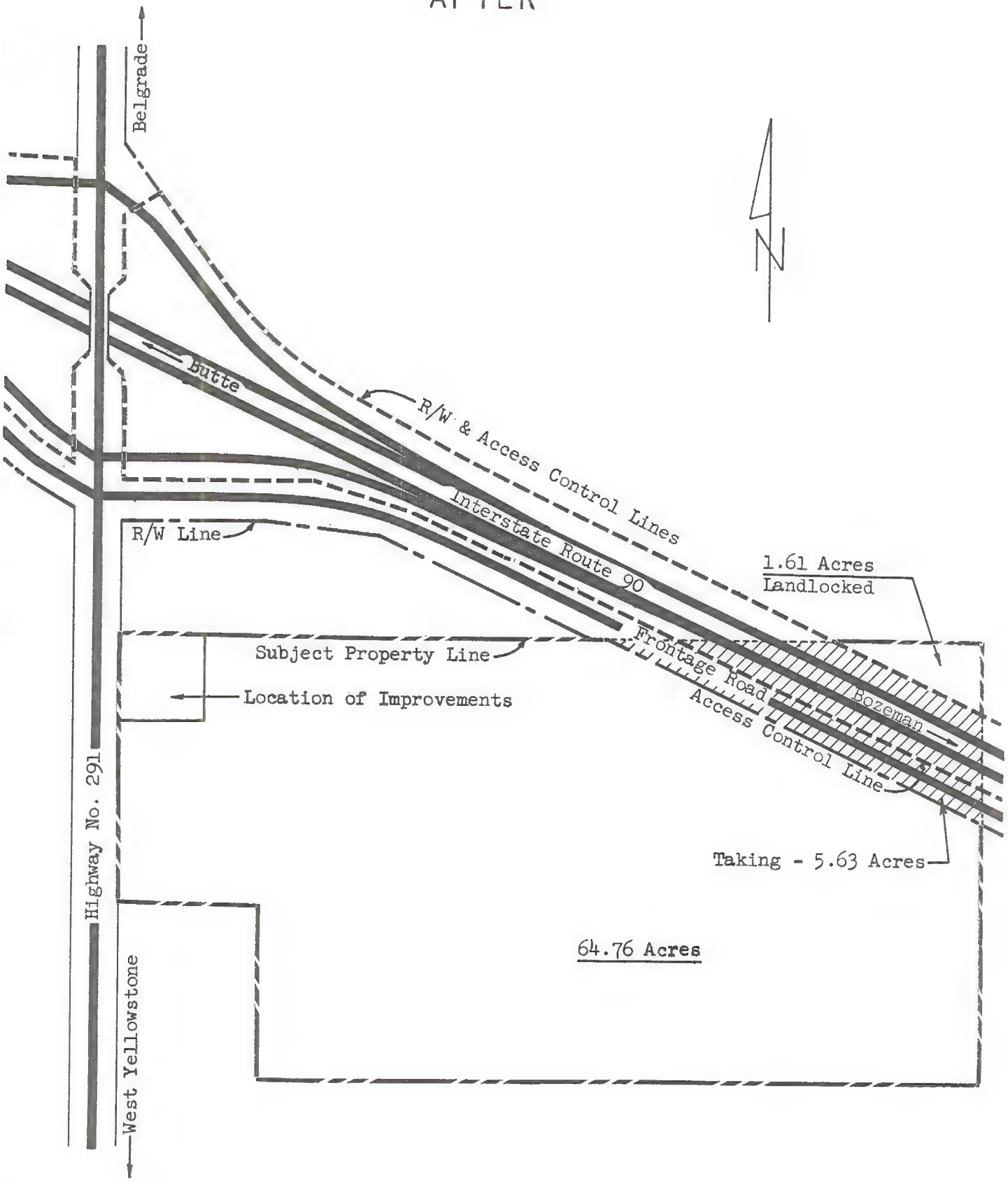
It is evident that the appraiser was very nearly correct in his estimate of the value of the property after the taking.

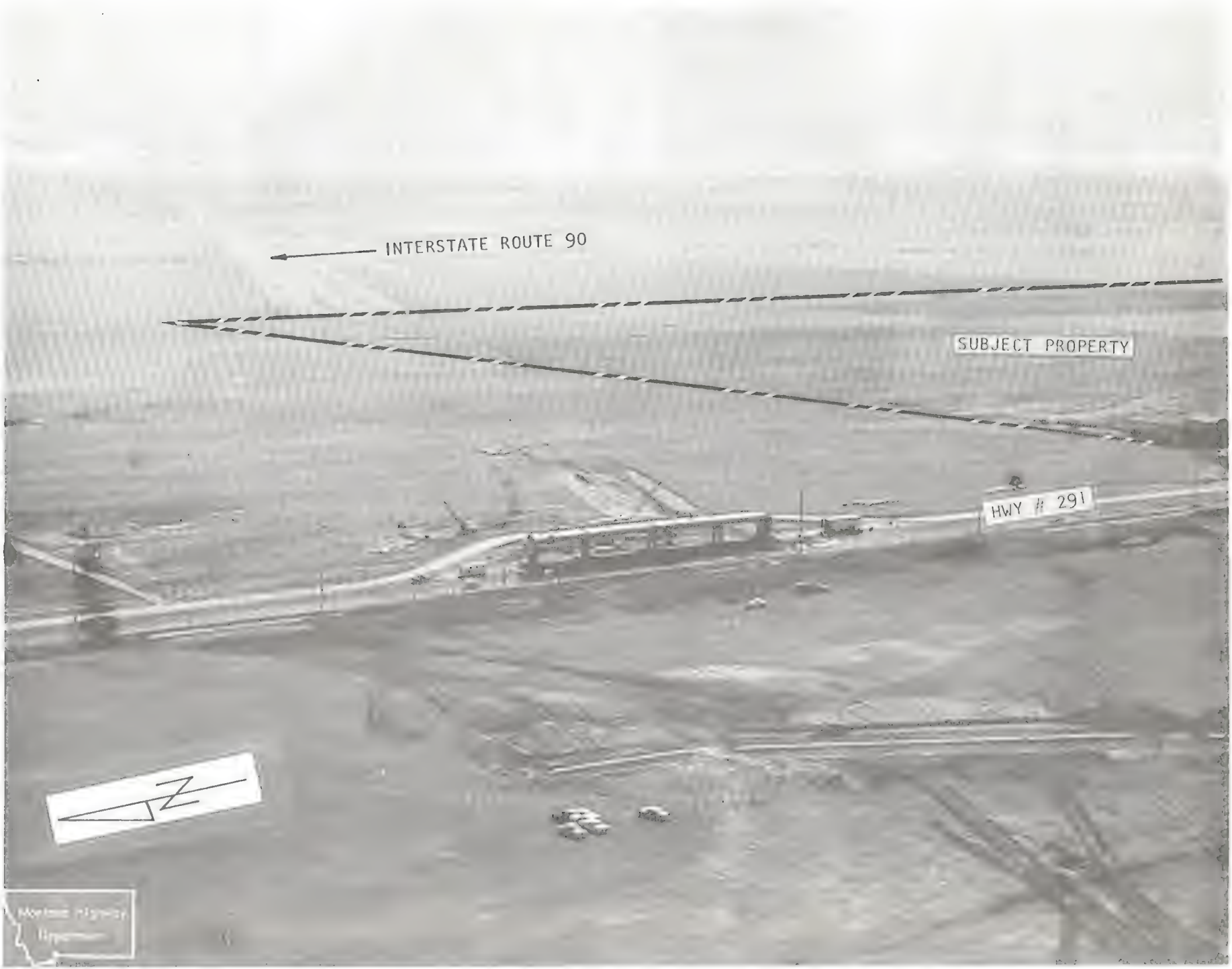
Since the subject remainder is located on an arterial highway leading from the Interstate Highway to the west entrance of Yellowstone Park, which is located approximately 90 miles south of Belgrade, it is entirely possible that the property will experience a change in use. Although the buyer took this possibility into consideration, it appears that it did not have a substantial influence on the price that he was willing to pay for the property.

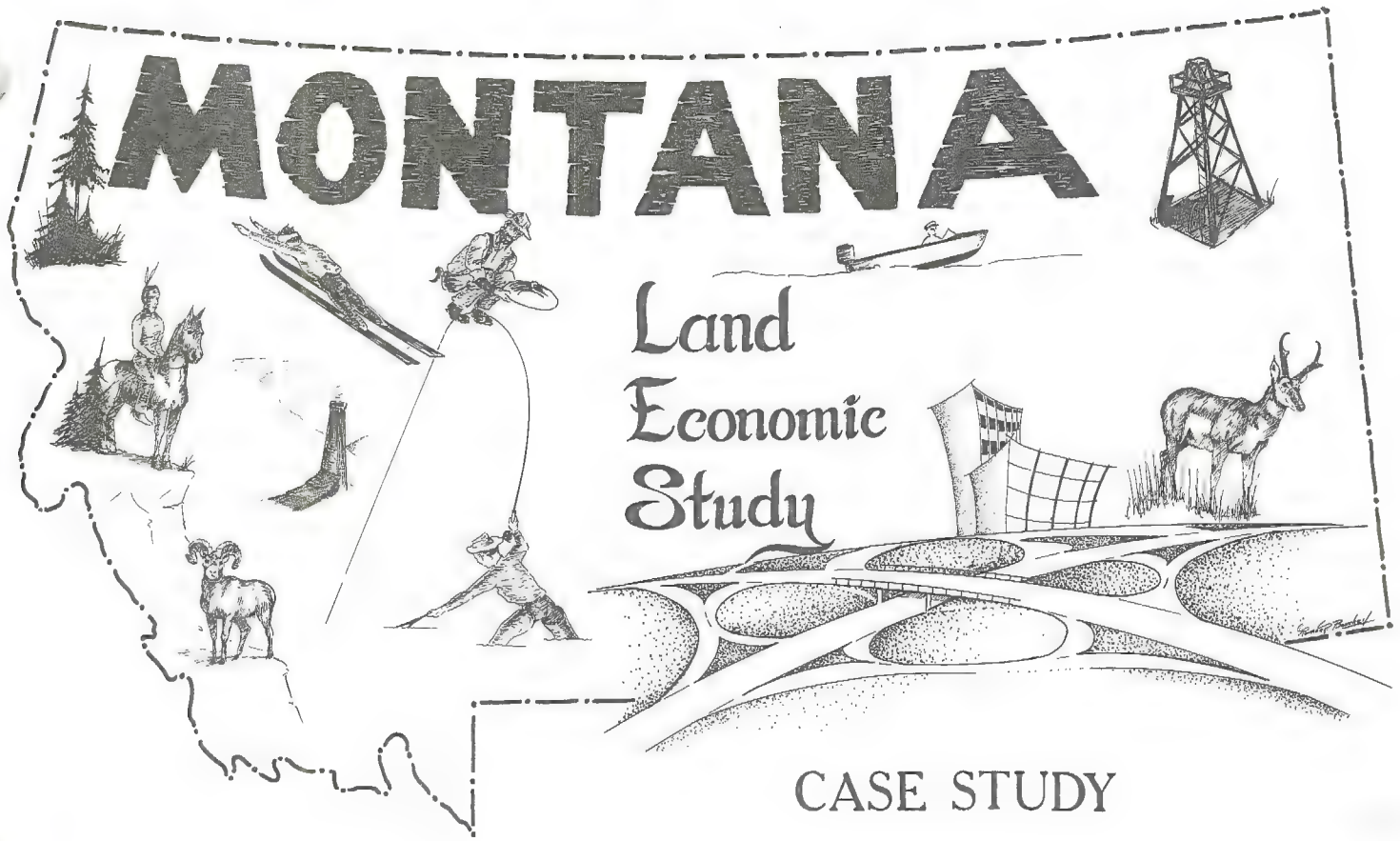
BEFORE


Belgrade
Highway No. 291
N
Subject Property Line
Location of Improvements
72 Acres
West Yellowstone

AFTER


Belgrade
Butte
R/W & Access Control Lines
Interstate Route 90
R/W Line
1.61 Acres
Landlocked
Subject Property Line
Location of Improvements
Frontage Road
Access Control Line
Bozeman
Taking - 5.63 Acres
Highway No. 291
64.76 Acres
West Yellowstone


INTERSTATE ROUTE 90
SUBJECT PROPERTY
HWY # 291
N



CASE STUDY

NO. 38

SMALL FARM

CHANGE IN USE OF PORTION NEAR INTERCHANGE

INTERSTATE ROUTE 90

BELGRADE, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

LOCATION

This property is located on the east side of State Secondary Highway Route No. 291 adjacent to the southerly limits of the town of Belgrade, Montana. Belgrade, which had a 1960 population of 1,057, is approximately 10 miles northwest of Bozeman, Montana. Bozeman is the County Seat of Gallatin County and had a 1960 population of 13,361.

NARRATIVE DESCRIPTION OF THE PROPERTY BEFORE THE TAKING

Prior to the State's acquisition, this property contained 40.72 acres of level, irrigated land. Building improvements included a two bedroom, pumice block residence, a barn, a chicken house, and two sheds.

The property was being used as a part time, or subsistence farm with the owners living on the property and working in Bozeman.

The property had approximately 800 feet of frontage on, and direct access to, State Secondary Route 291. This highway runs south from Belgrade to the west entrance to Yellowstone Park, which is located 90 miles south of Belgrade. The building improvements were located on the northeast corner of the property. Access to the buildings was provided by an unimproved city street.

Because of its location with respect to the town of Belgrade, the State's appraiser estimated that the highest and best use of this property was for residential sub-division purposes with an interim use as agricultural land.

NARRATIVE DESCRIPTION OF PORTION ACQUIRED FOR RIGHT OF WAY

In December, 1963, the State acquired 13.11 acres of land from this property for the construction of Interstate Route 90. The construction included a full interchange at the intersection of the Interstate Highway and State Secondary Route 291. The taking ran diagonally across the property in a northwest to southeast direction, leaving remainders on each side of the new highway. Plans included the construction of a frontage road along the southerly side of the new facility.

The State did not purchase any of the building improvements.

The taking included all rights of direct access to the new facility with the exception of access to the frontage road.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER THE TAKING

After the taking, the property contained an area of 27.61 acres with 8.40 acres being located south of the new highway, and 19.21 acres and all of the building improvements located north of the new facility.

Access to the southerly remainder will be provided by approximately 350 feet of frontage along the east side of State Secondary Route 291 and by 1,450 feet of frontage along the frontage road on the southerly side of the new Interstate Highway. Access to the northerly remainder will continue to be provided by the unimproved city street.

The highest and best use of the property after the taking was estimated to be for residential subdivision purposes, with an interim use as agricultural land.

THE SALE OF A PORTION OF THE REMAINDER

In September, 1964, a 2.9 acre tract along the west side of the northerly remainder was sold to the abutting owner to the west for a confirmed price of $1,160. The deed for this transaction is recorded on Page 413, Book 146 of Deeds, Gallatin County Records.

The buyer is a building contractor who had acquired the adjoining four acre tract several years previously for the purpose of occupying the residence and developing the balance of the land as home sites. The State had purchased a part of his property for the interchange, leaving the residence on a triangular shaped remainder containing 0.72 of an acre. The 2.9 acre subject sale tract was purchased to replace the land lost to highway construction.

SUMMARY OF APPROVED APPRAISAL

Since the sale tract was only a portion of the entire subject property, a tabulation of the State's appraisal for the entire property will not be included in this report.

CHANGE IN VALUE OF PART SOLD (2.9 ACRES)

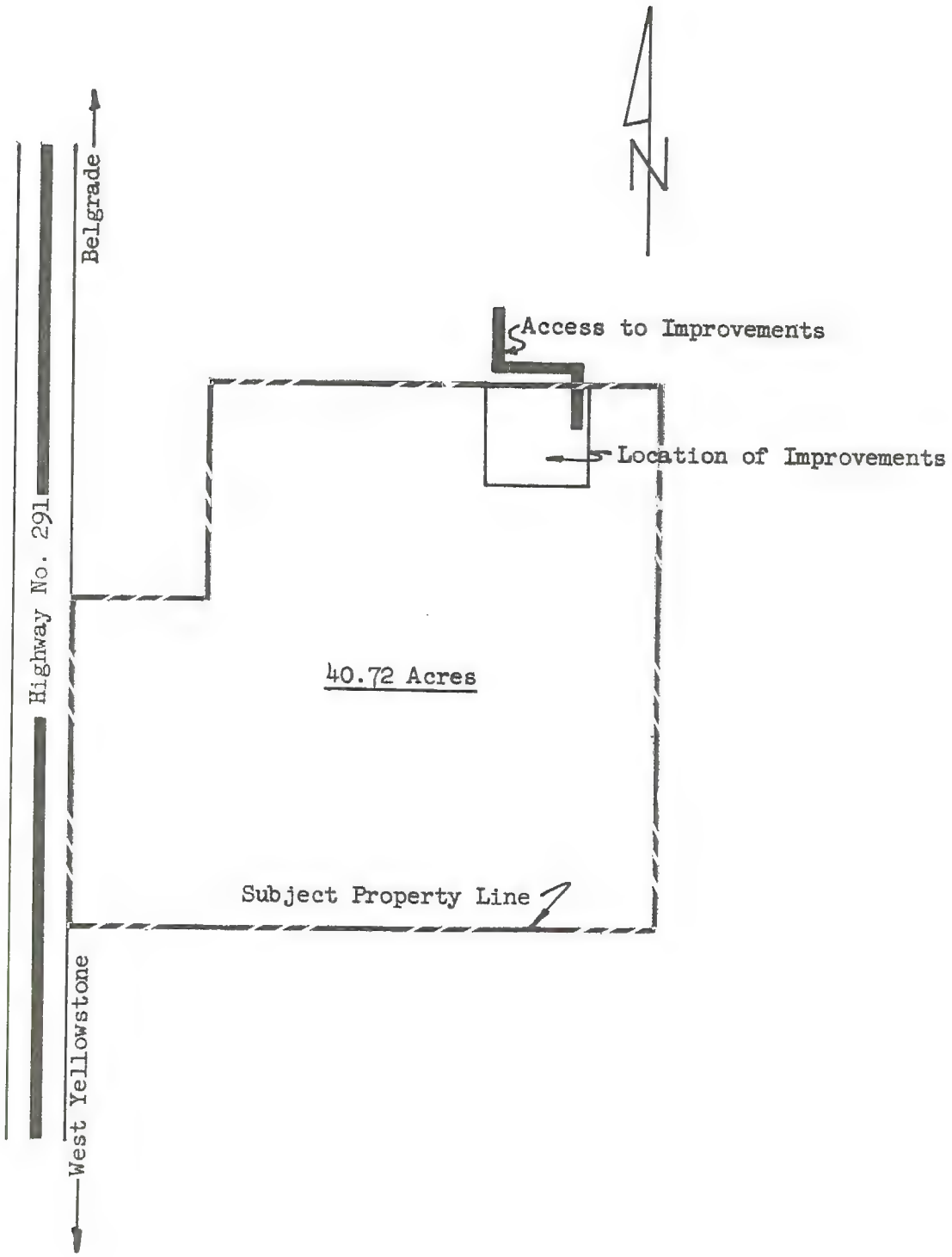
	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Sold	$580	$ 580
After Value of Part Sold	580	1,160
Change in Value of Part Sold	$ 0	+$ 580
Per Cent Change in Value	$0 / $580 0%	+$580 / $580 +100%

Note: According to the appraisal, the sale tract contributed $200 per acre to the value of the entire property both before and after the taking.

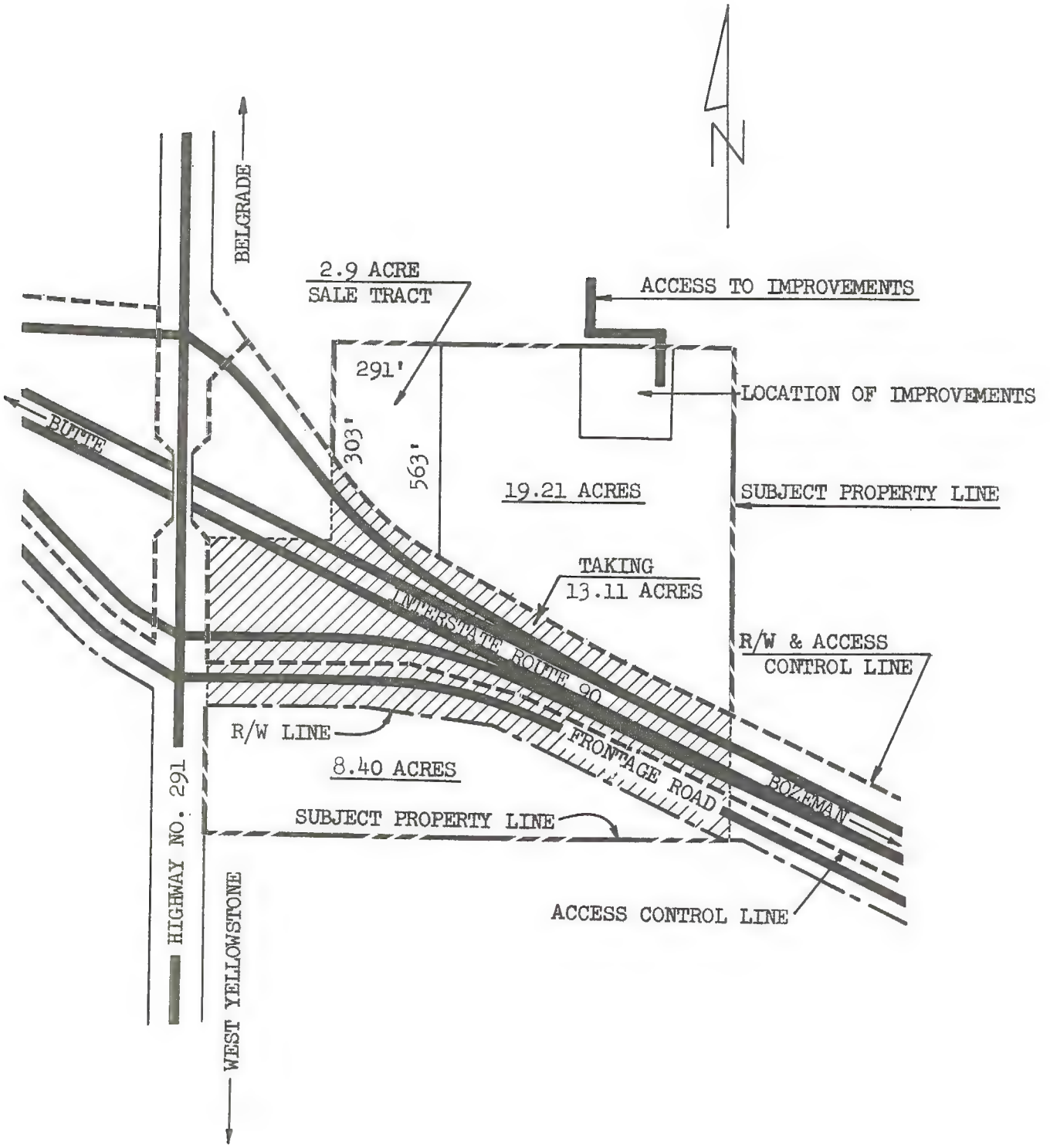
REMARKS

It appears that the buyer was motivated primarily by the desire to replace land that had been lost to the new highway. However, his wife indicated that they thought the property may eventually experience a change to commercial use.

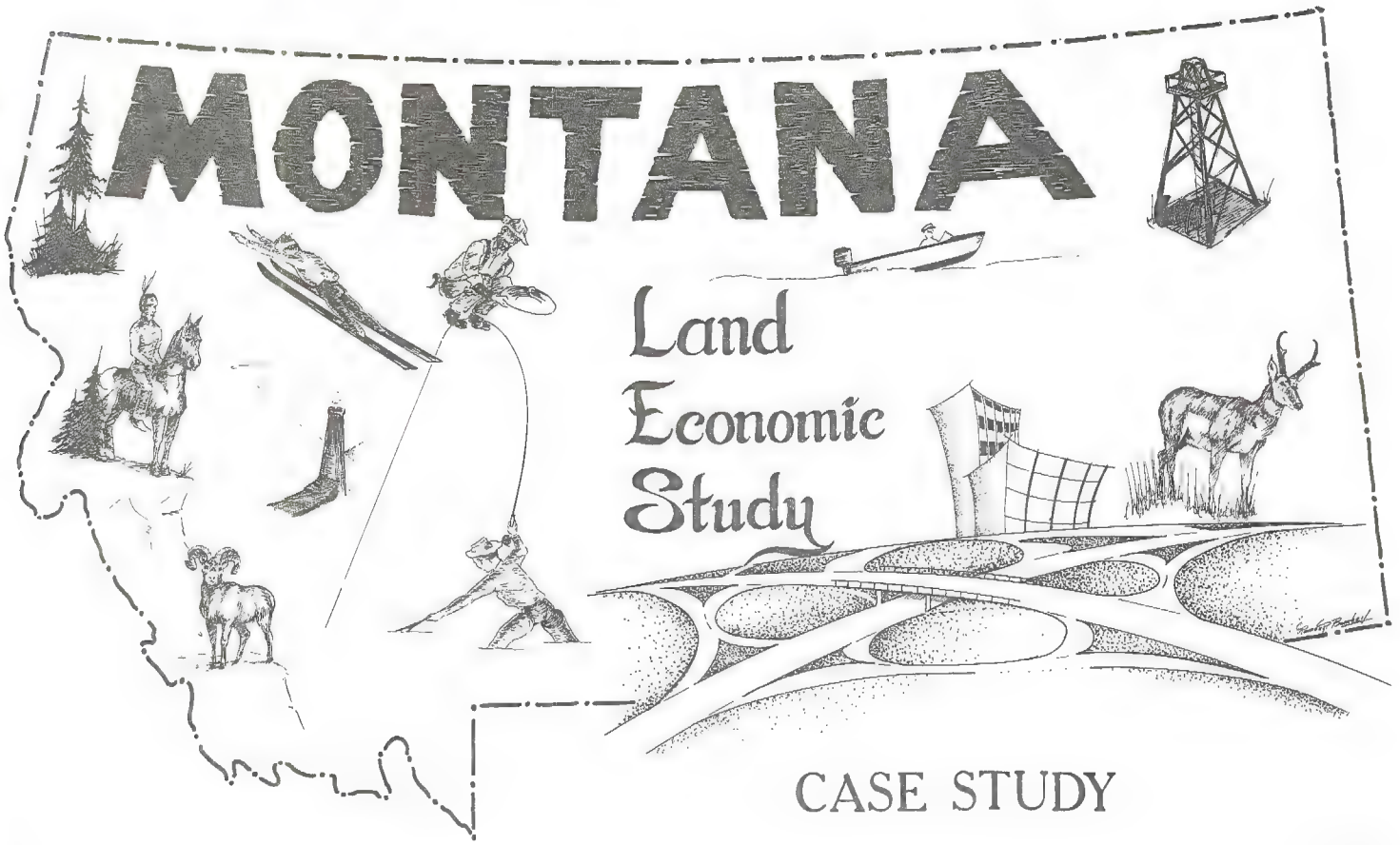
BEFORE


N
Belgrade
Access to Improvements
Location of Improvements
Highway No. 291
40.72 Acres
Subject Property Line
West Yellowstone

AFTER


N
BELGRADE
2.9 ACRE
SALE TRACT
ACCESS TO IMPROVEMENTS
291'
LOCATION OF IMPROVEMENTS
BUTTE
303'
563'
19.21 ACRES
SUBJECT PROPERTY LINE
TAKING
13.11 ACRES
INTERSTATE ROUTE 90
R/W & ACCESS
CONTROL LINE
R/W LINE
FRONTAGE ROAD
8.40 ACRES
BOZEMAN
SUBJECT PROPERTY LINE
HIGHWAY NO. 291
ACCESS CONTROL LINE
WEST YELLOWSTONE

INTERSTATE ROUTE 90
2.9 ACRE SALE TRACT
SUBJECT PROPERTY
HWY # 291
PURCHASER'S REMAINDER



CASE STUDY

NO. 39

RESIDENTIAL PROPERTY

CHANGE IN SIZE AND SHAPE

INTERSTATE ROUTE 90

MISSOULA, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

The buyer advises that he is speculating on the possibility that the property will undergo a change in highest and best use once the new highway is completed. Although the property is not on a principle street leading into the main part of town, he feels that it will be a desirable site for a service station or motel. Until such a change in use materializes, he is using the subject remainder as a temporary site for two garages, which were removed from other properties acquired by the State.

He further advises that the sale price was based on the price per square foot paid by the State for the land taken for right of way.

SUMMARY OF APPROVED APPRAISAL

BEFORE VALUE:

Land - 7,800 Sq. Ft. @ $0.21	$1,638	
Improvements - Dwelling	6,700	
Garage	100	
Site Improvements	76	
TOTAL BEFORE VALUE		$8,514

AFTER VALUE:

Land - 3,900 Sq. Ft. @ $0.05	$ 195	
TOTAL AFTER VALUE		195
TOTAL COMPENSATION		$8,319

VALUE OF PART TAKEN:

Land - 3,900 Sq. Ft. @ $0.21	$ 819	
Improvements - Dwelling	6,700	
Garage	100	
Site Improvements	76	
TOTAL OF PART TAKEN		7,695
REDUCTION IN VALUE OF PART NOT TAKEN		$ 624

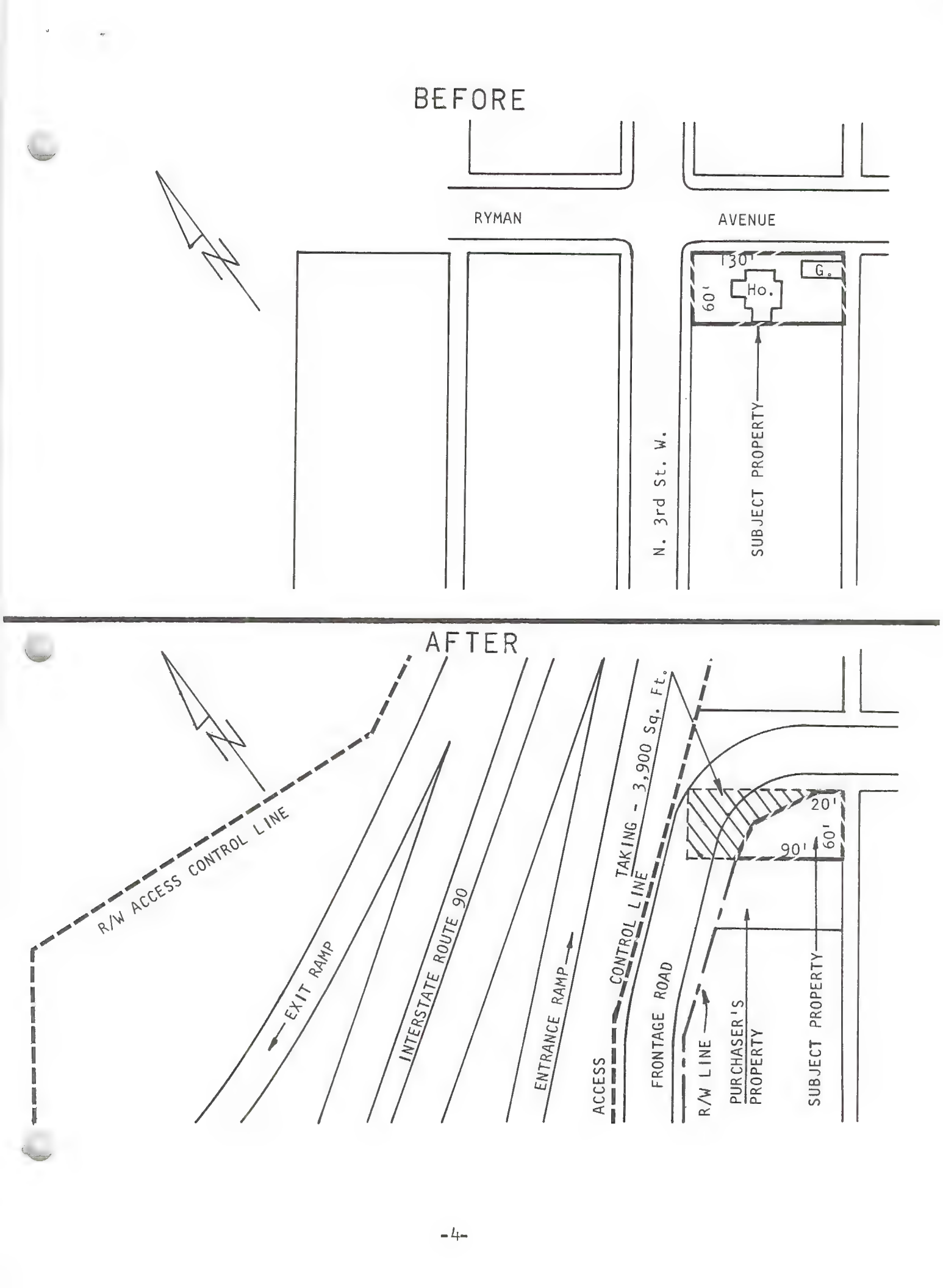
Value of Property Before Taking	$8,514
Value of Part Taken	7,695
Before Value of Part Not Taken	$ 819

CHANGE IN VALUE OF PART NOT TAKEN

	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Not Taken	$ 819	$ 819
After Value of Part Not Taken	195	850
Change in Value of Part Not Taken	-$ 624	+$ 31
Per Cent Change in Value	$624 / $819 -76%	$31 / $819 +4%

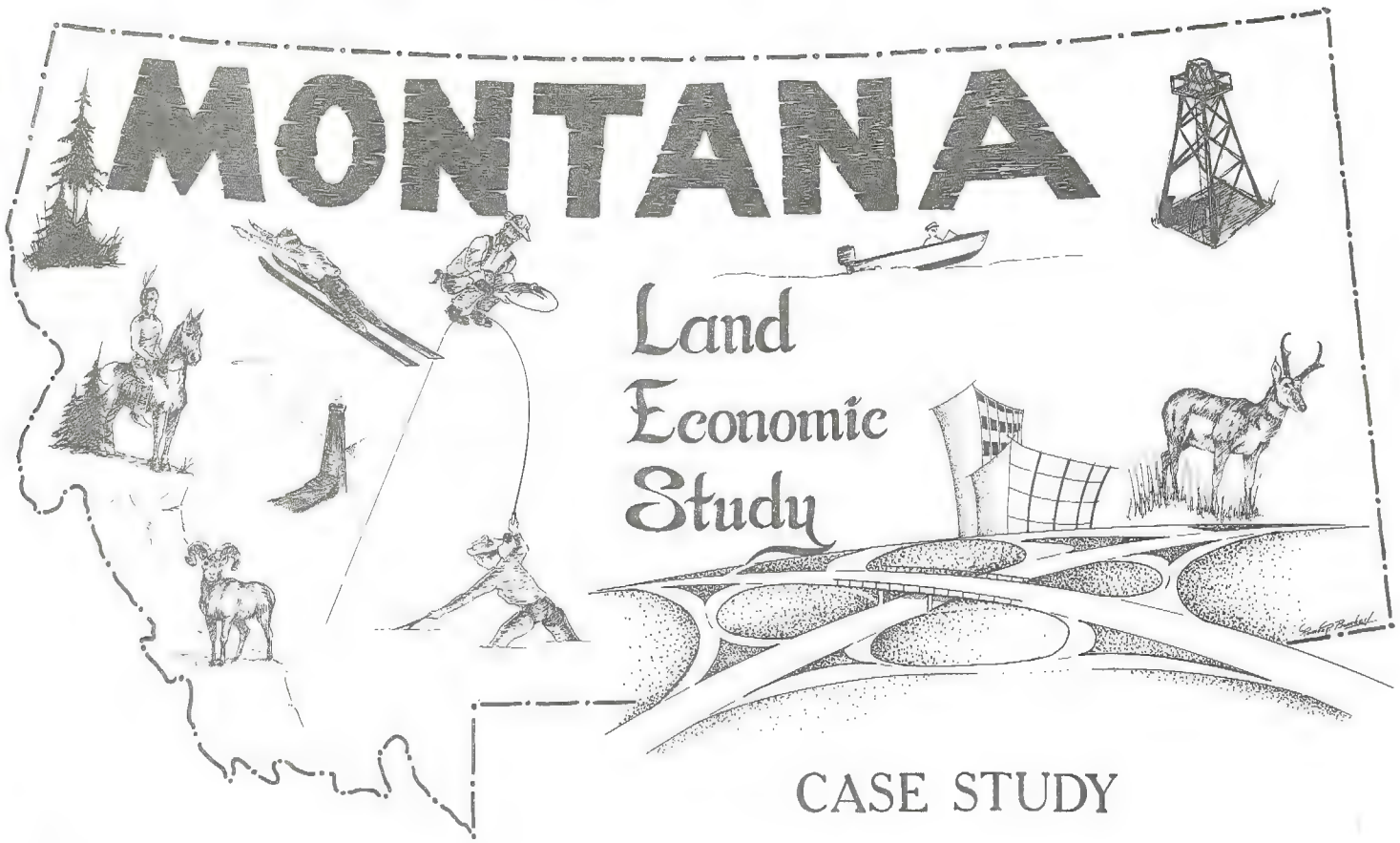
REMARKS

The size and shape of the remainder severely restricted its utility for independent use. For this reason, it appears that the property would have maximum usefulness to the adjoining owner. Under these circumstances, it could be expected that the adjoining owner would bide his time and try to buy the property as cheaply as possible. The buyer, however, chose to purchase the remainder within a few days of the State's acquisition at a price which reflects no loss in value.


BEFORE
RYMAN
AVENUE
130'
60'
Ho.
G.
N. 3rd St. W.
SUBJECT PROPERTY
AFTER
R/W ACCESS CONTROL LINE
EXIT RAMP
INTERSTATE ROUTE 90
ENTRANCE RAMP
ACCESS CONTROL LINE
TAKING - 3,900 Sq. Ft.
FRONTAGE ROAD
R/W LINE
PURCHASER'S PROPERTY
SUBJECT PROPERTY
20'
90'
60'

BEFORE

AFTER



CASE STUDY

NO. 40

SMALL IRRIGATED FARM

CHANGE IN USE OF PORTION NEAR INTERCHANGE

INTERSTATE ROUTE 94

NEAR MILES CITY, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

LOCATION

The subject property is located on the west side of U. S. Highway No. 312, adjacent to the southeast corner of Miles City, Montana. It is north of, and adjacent to, the Broadus Interchange on Interstate Route 94.

Miles City is the Seat of Custer County, Montana, and had a 1960 population of 9,665.

NARRATIVE DESCRIPTION OF THE PROPERTY BEFORE THE TAKING

Before the taking, this was a level, irrigated farm property having an area of 78.76 acres. There was an old set of farm buildings located in the southwest corner of the property which contributed very little to the value of the property.

The property had approximately one-fourth of a mile of frontage on the west side of U. S. Highway No. 312. It also had approximately one-half mile of frontage on a gravel county road along its north boundary and approximately one-fourth mile of frontage on an oiled county road along its west boundary. The property had direct access to each of these roads.

The appraiser estimated that the highest and best use of the subject property would be for residential subdivision purposes. This is due to the location of the property with respect to Miles City and the recent residential development north of the subject property.

NARRATIVE DESCRIPTION OF PORTION ACQUIRED FOR RIGHT OF WAY

In December, 1959, the State acquired 4.9 acres of land from the southeast corner of this property for the construction of Interstate Route 94. Plans included the construction of a full interchange at the intersection of the Interstate Highway and U. S. Highway No. 312. There were no building improvements in the area of taking.

The acquisition included all rights of direct access to the Interstate Highway.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER THE TAKING

After the taking, this property contained 73.86 acres of level, irrigated land and the same building improvements mentioned before the taking.

The State's acquisition included approximately 650 feet of the frontage on U. S. Highway No. 312 so that the remainder has about 710 feet of frontage on this highway. Frontage on the two county roads remains the same as described before the taking. The remainder has direct access to each of these roads. The remainder also has approximately 960 feet of frontage along the northwesterly side of an interchange entrance ramp, but has no direct physical access to this frontage.

The estimated highest and best use of the remainder was for subdivision purposes with the frontage along Highway 312 being devoted to commercial use.

SALE OF A PORTION OF THE REMAINDER

In April, 1964, an oil company obtained an option to purchase a 4.34 acre tract in the northeast corner of the subject remainder. The deed was executed in October, 1964, and is recorded on Page 439, Book 105 of Deeds, Custer County Records. The confirmed purchase price in this transaction was $23,100.

The sale tract is located 200 feet north of the interchange. It has 438.8 feet of frontage on Highway 312, and 432.6 feet of frontage along the south side of the gravel county road abutting the north line of the remainder.

According to the buyer, the property is to be improved with a motel with restaurant and service station facilities. Construction is to begin during the summer of 1965. The buyer advised that other sites were considered. The subject property was chosen because it is more centrally located; has better visibility; has superior access because of its location with respect to the Interstate Highway Interchange; and has desirable size and neighborhood backup.

SUMMARY OF APPROVED APPRAISAL

This report will not include a summary of the State's appraisal for the entire property, since the sale involved only a small portion of the entire remainder.

CHANGE IN VALUE OF PART SOLD (4.34 Acres)

	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Sold	$4,340.00	$ 4,340.00
After Value of Part Sold	4,774.00	23,100.00
Change in Value of Part Sold	+$ 434.00	+$18,760.00
Per Cent Change in Value	$434 / $4,340 +10%	$18,760 / $4,340 +432%

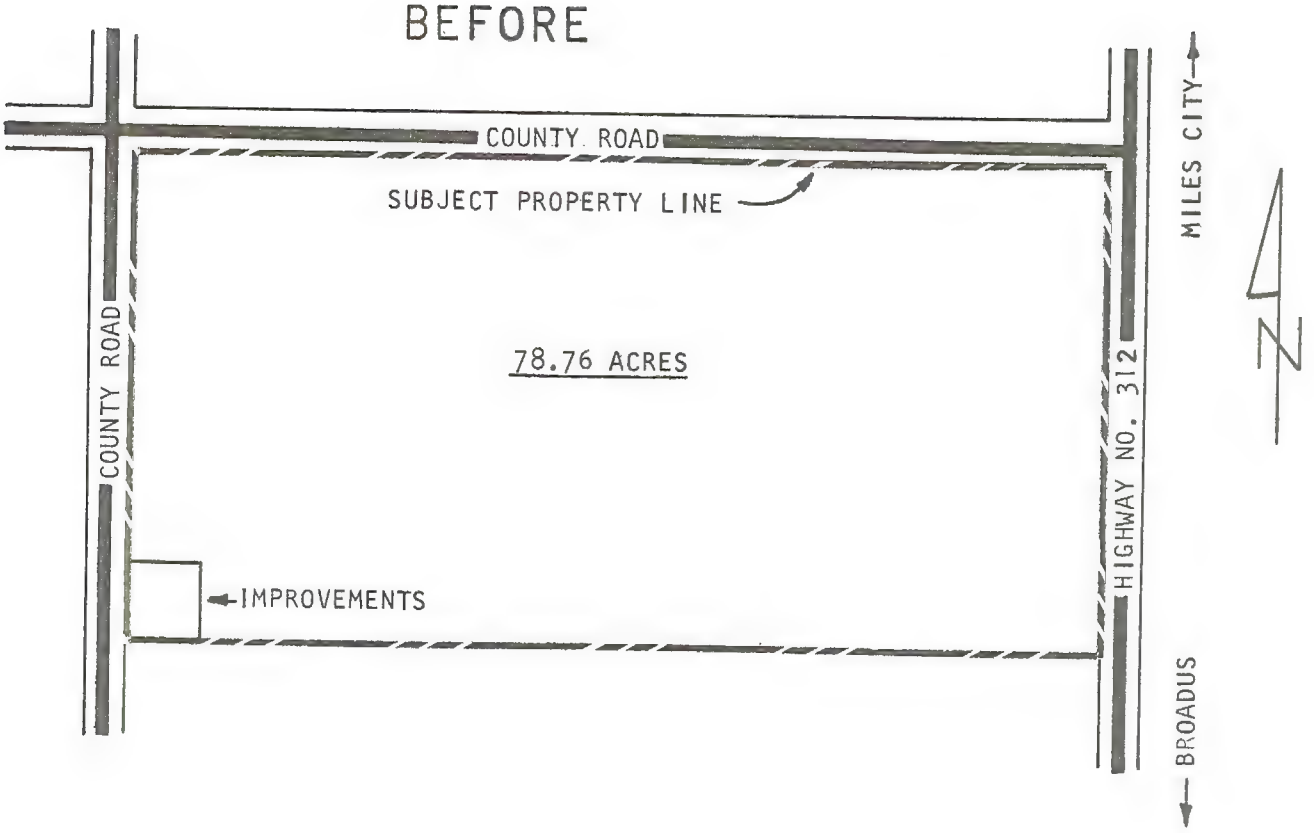
NOTE: According to the appraisal, the sale tract contributed $1,000 per acre to the value of the entire property before the taking. After the taking the appraised value was $1,100 per acre. The increase was due to the location of the property with respect to the interchange.

REMARKS

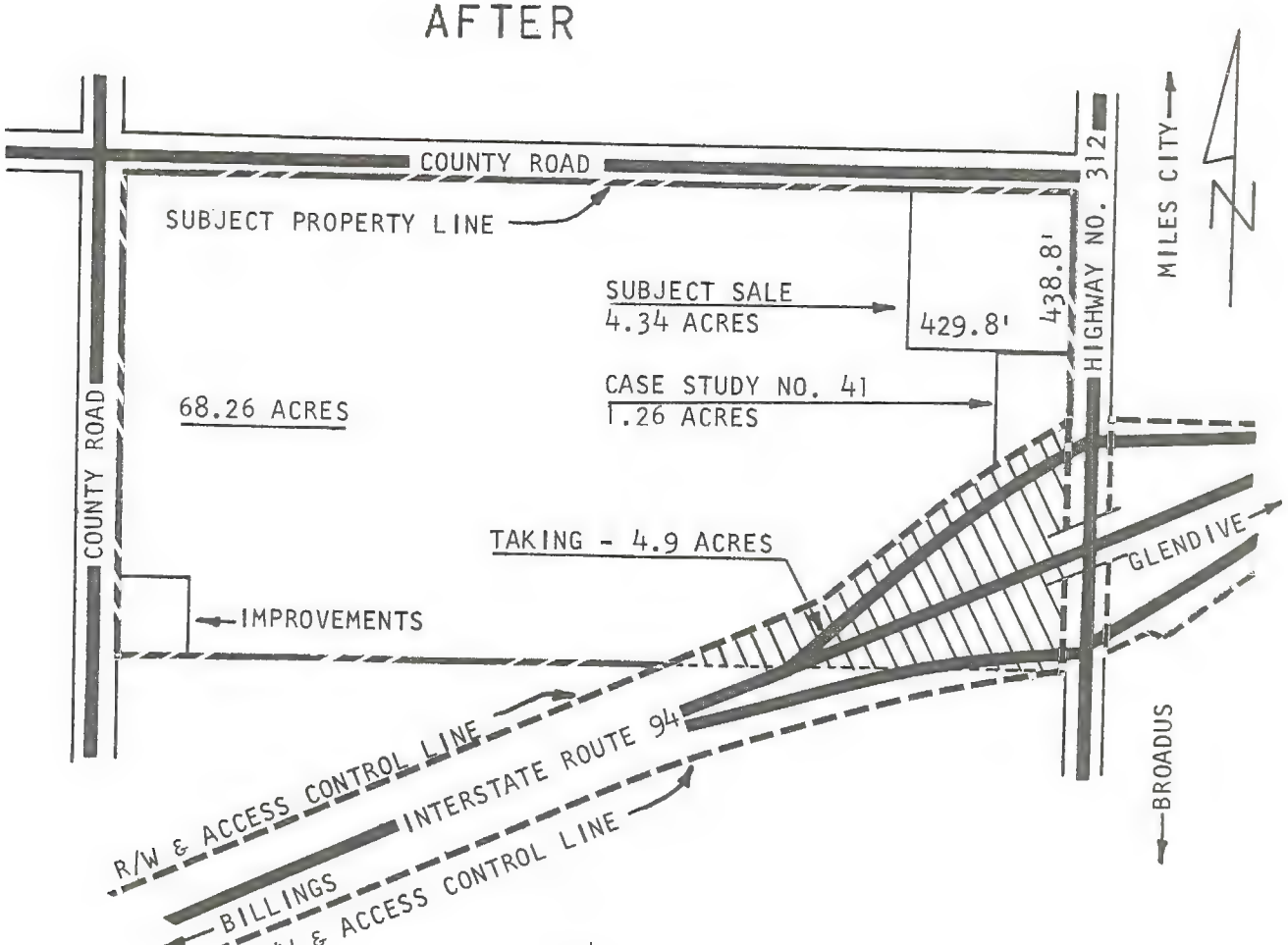
We continue to observe large increases in the value of land abutting arterial highways in the vicinity of principle Interstate Highway Interchanges. In this particular case, the appraiser recognized that construction of the new highway would result in a benefit to the remainder. However, his estimate of the magnitude of the benefit was substantially less than displayed by the sale.

It should be pointed out, however, that the State's acquisition of the subject property took place fairly early in the Interstate Highway program and the appraiser had very little market information upon which to base his conclusions.

BEFORE



AFTER

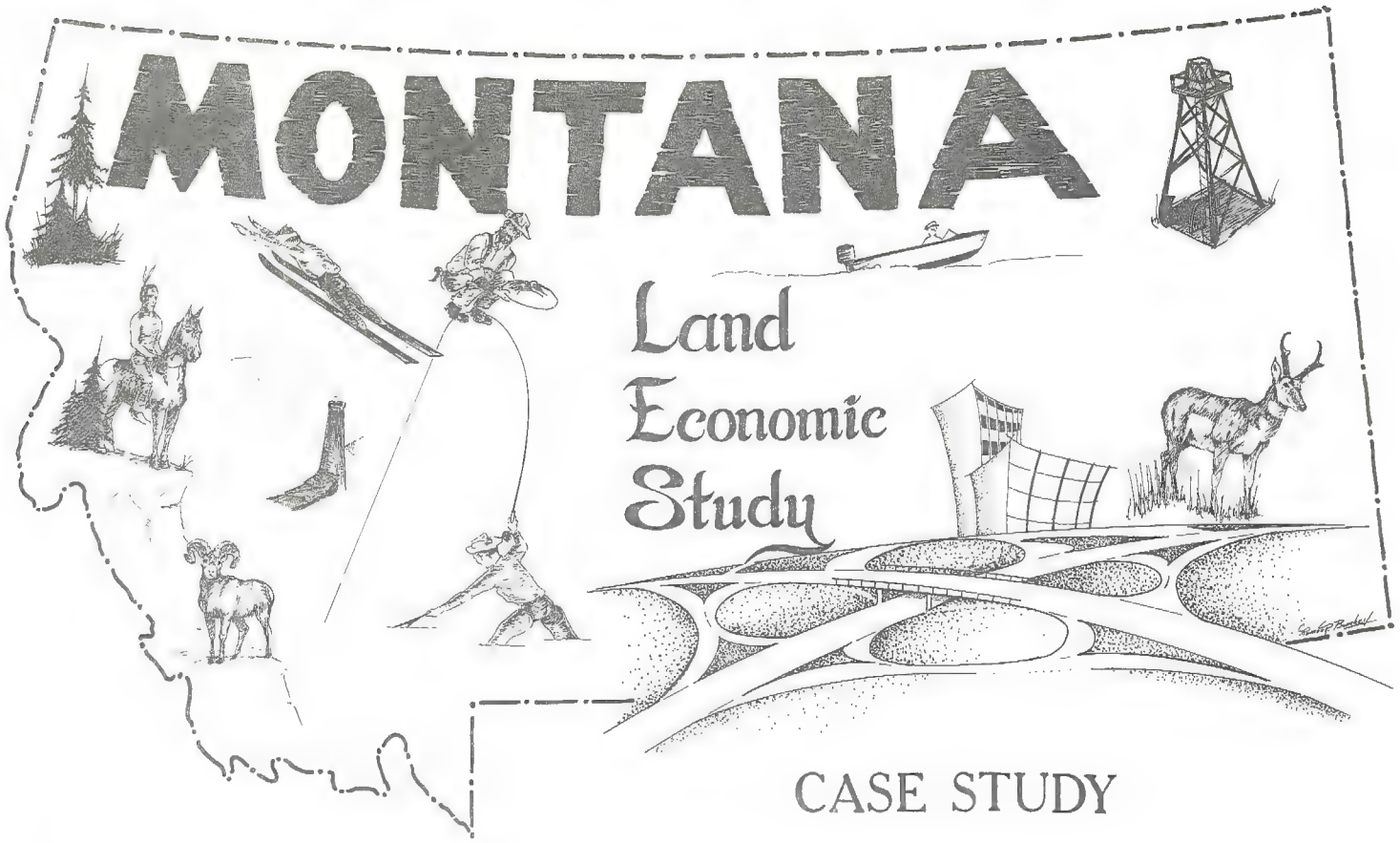


BEFORE

NO APPROPRIATE PHOTOGRAPH AVAILABLE

AFTER

INTERSTATE ROUTE 94
Montana



CASE STUDY

NO. 41

SMALL IRRIGATED FARM

CHANGE IN USE OF PORTION NEAR INTERCHANGE

INTERSTATE ROUTE 94

NEAR MILES CITY, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

LOCATION

The subject property is located on the west side of U. S. Highway No. 312, adjacent to the southeast corner of Miles City, Montana. It is north of, and adjacent to, the Broadus Interchange on Interstate Route 94.

Miles City is the Seat of Custer County, Montana, and had a 1960 population of 9,665.

NARRATIVE DESCRIPTION OF THE PROPERTY BEFORE THE TAKING

Before the taking, this was a level, irrigated farm property having an area of 78.76 acres. There was an old set of farm buildings located in the southwest corner of the property which contributed very little to the value of the property.

The property had approximately one-fourth of a mile of frontage on the west side of U. S. Highway No. 312. It also had approximately one-half mile of frontage on a gravel county road along its north boundary and approximately one-fourth mile of frontage on an oiled county road along its west boundary. The property had direct access to each of these roads.

The appraiser estimated that the highest and best use of the subject property would be for residential subdivision purposes. This is due to the relationship of the property with respect to Miles City and recent residential development on the property to the north.

NARRATIVE DESCRIPTION OF PORTION ACQUIRED FOR RIGHT OF WAY

In December, 1959, the State acquired 4.9 acres of land from the southeast corner of this property for the construction of Interstate Route 94. Plans included the construction of a full interchange at the intersection of the Interstate Highway and U. S. Highway No. 312. There were no building improvements in the area of taking.

The acquisition included all rights of direct access to the Interstate Highway.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER THE TAKING

After the taking, this property contained 73.86 acres of level, irrigated land and the same building improvements mentioned before the taking.

The State's acquisition included approximately 650 feet of the frontage on U. S. Highway No. 312 leaving the remainder with about 710 feet of frontage on this highway. Frontage on the two county roads remains the same as described before the taking. The remainder has direct access to each of these roads. The remainder also has approximately 960 feet of frontage along the northwesterly side of an interchange entrance ramp, but has no direct physical access to this frontage.

The estimated highest and best use of the remainder was for subdivision purposes with the portion fronting on Highway 312 being devoted to commercial use.

SALE OF A PORTION OF THE REMAINDER

In November, 1963, an oil company secured an option to purchase a 1.26 acre tract along the east side of the subject remainder abutting the interchange. A deed was executed in April, 1964, and is recorded on Page 50, Book 105 of Deeds, Custer County Records. The confirmed sale price in this transaction was $6,250.

The sale tract has 200 feet of frontage on the west side of Highway 312 and a depth of 200 feet. The south line of the tract abutts the north line of the interchange entrance ramp. It is now improved with a new service station having direct access from Highway 312.

SUMMARY OF APPROVED APPRAISAL

A tabulation of the State's appraisal for the entire property will not be included in this report, since the sale tract was only a portion of the entire remainder.

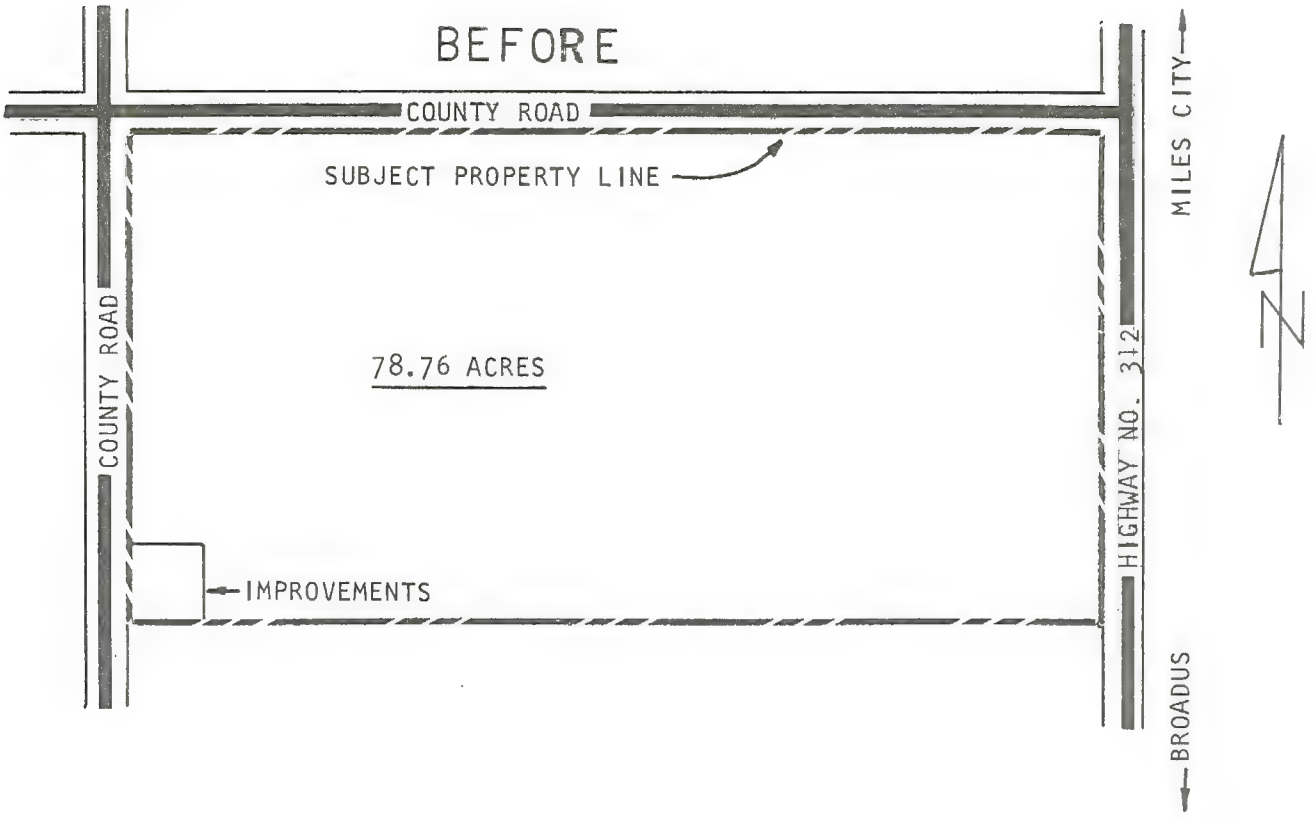
CHANGE IN VALUE OF PART SOLD (1.26 ACRES)

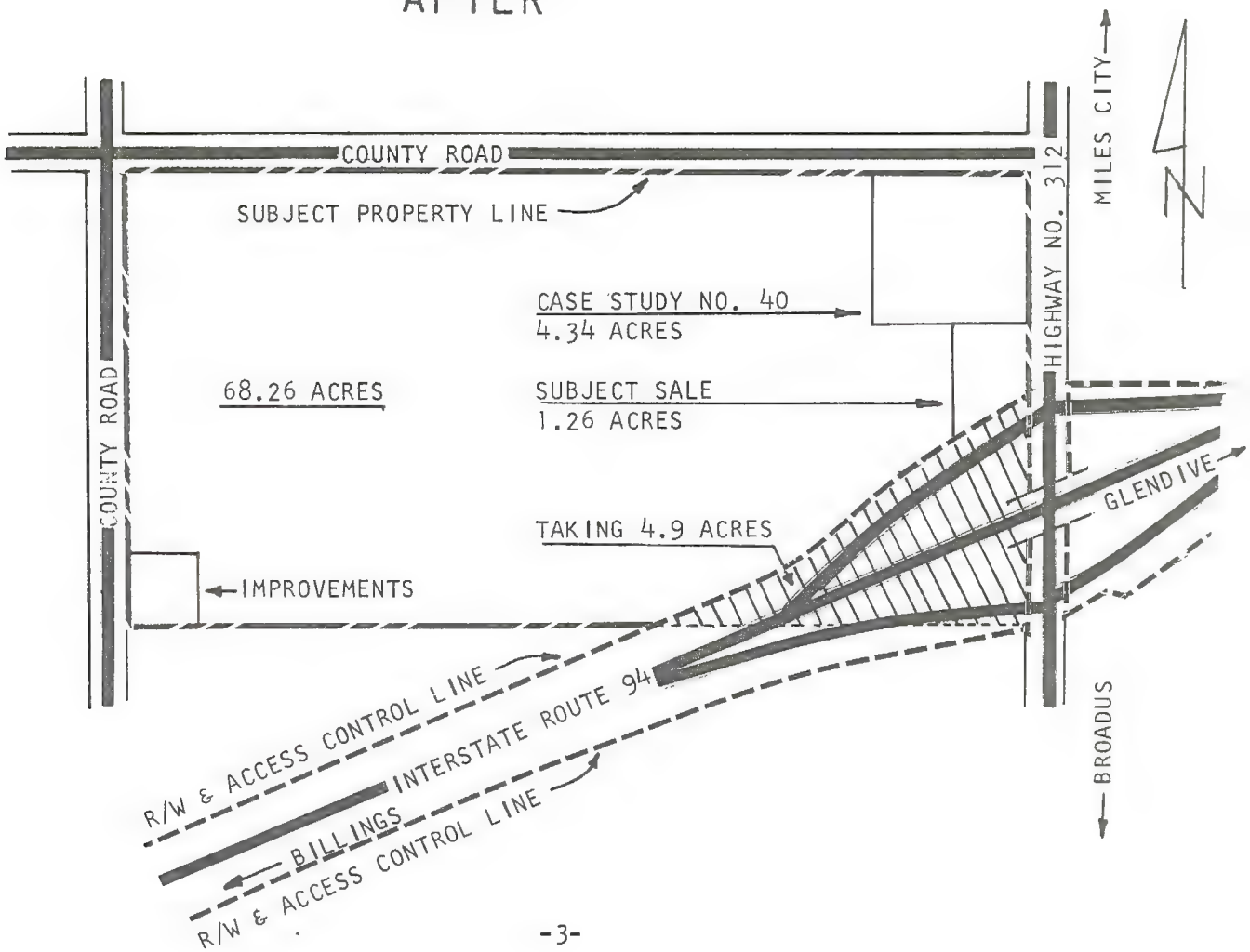
	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Sold	$1,260	$1,260
After Value of Part Sold	1,386	6,250
Change in Value of Part Sold	+$ 126	+$4,990
Per Cent Change in Value	$126 / $1,260 +10%	$4,990 / $1,260 +396%

NOTE: According to the appraisal, the sale tract contributed $1,000 per acre to the value of the entire property before the taking. After the taking the appraised value was $1,100 per acre. The increase was due to the location of the property with respect to the interchange.

REMARKS

The appraiser recognized that there would be benefit to this property as a result of the new construction. The inaccuracy of the estimate of the benefit was undoubtedly due to the fact that the acquisition took place quite early in the Interstate Highway program. At that time there was very little market data from which to draw a strongly supported conclusion.


BEFORE
COUNTY ROAD
SUBJECT PROPERTY LINE
MILES CITY
COUNTY ROAD
78.76 ACRES
HIGHWAY NO. 312
IMPROVEMENTS
BROADUS

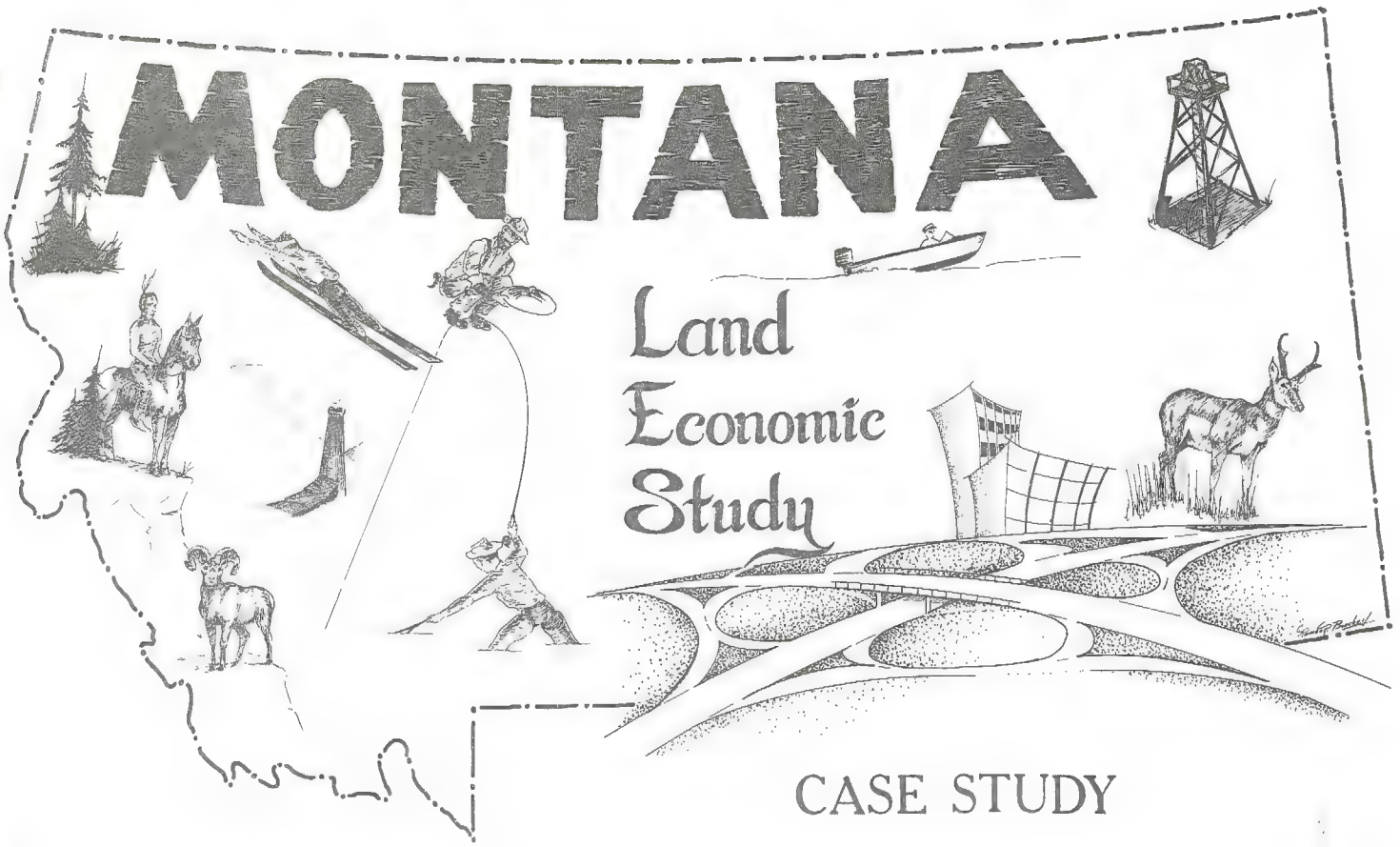

AFTER
MILES CITY
COUNTY ROAD
SUBJECT PROPERTY LINE
CASE STUDY NO. 40
4.34 ACRES
HIGHWAY NO. 312
68.26 ACRES
SUBJECT SALE
1.26 ACRES
COUNTY ROAD
GLENDIVE
TAKING 4.9 ACRES
IMPROVEMENTS
R/W & ACCESS CONTROL LINE
INTERSTATE ROUTE 94
BILLINGS
R/W & ACCESS CONTROL LINE
BROADUS

BEFORE

NO APPROPRIATE PHOTOGRAPH AVAILABLE

AFTER

SUBJECT PROPERTY
SALE TRACT
Hwy. # 317
INTERSTATE ROUTE 94



CASE STUDY

NO. 42

STOCK RANCH

CHANGE IN USE OF PORTION NEAR INTERCHANGE

INTERSTATE ROUTE 94

NEAR MILES CITY, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

LOCATION

This property lies on the north and south sides of U. S. Highway No. 12 and on the east and west sides of Interstate Route 94 approximately $1\frac{1}{2}$ mile northeast of Miles City, Montana. Miles City is the seat of Custer County and had a 1960 population of 9,665.

This property is the same one described in Case Studies No. 12 and 43. The sale tract considered in this report lies between the sale tracts considered in the other two case studies.

NARRATIVE DESCRIPTION OF THE PROPERTY BEFORE THE TAKING

Before the taking, this was a 4,594 acre stock ranch comprised of irrigated crop land located on the westerly part of the property and dry grazing land located on the east. The property was extensively improved with several sets of farm and ranch buildings at various locations on the westerly part of the property. Access was provided by the following roads: U. S. Highway No. 12 which runs in an east-west direction through the property; U. S. Highway No. 10 along the west side of the property; and two north-south county roads located on the westerly part of the property.

The property was estimated to have its highest and best use as a stock ranch.

NARRATIVE DESCRIPTION OF PORTION ACQUIRED FOR RIGHT OF WAY

In October, 1960, the State acquired 46 acres of grazing land for the construction of Interstate Route 94. Plans included the construction of a full interchange at the intersection of the Interstate Highway with U. S. Highway 12.

The taking was in a southwest-northeast direction along the westerly edge of the grazing land. The only improvement included in the taking was a concrete powder house. All rights of direct access to the Interstate Highway were acquired by the State.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER THE TAKING

After the taking, this property contained 4,548 acres of irrigated crop land and grazing land. Except for the concrete powder house which was included in the taking, the building improvements remain the same as before the taking.

In addition to being divided into northerly and southerly portions by Highway No. 12, the property was divided into easterly and westerly portions by the new Interstate Highway. Old U. S. Highway No. 10 now serves as a local road. Access to U. S. Highway No. 12, to old Highway No. 10, and to the county roads was essentially the same as before the taking.

All of the irrigated land and major building improvements were located west of the new facility. All but a small portion of the grazing land was located east of the Interstate Highway.

The highest and best use of the remainder was estimated to be as a stock ranch.

SALE OF A PORTION OF THE REMAINDER

Early in 1962, the purchaser of the five acre tract described in Case Study No. 12 secured an option to purchase an additional five acres of land. He built a truck stop on his property; then in August of 1964 he assigned his option on the subject five acre tract to the oil company whose products he was selling. The option was exercised by the oil company in October, 1964, and the deed for this transaction is recorded on Page 443, Book 105 of Deeds, Custer County Records. The confirmed purchase price was $10,000.

The oil company advises that the property was purchased for future expansion of the truck stop facilities.

The sale tract is located on the north side of U. S. Highway No. 12 approximately 1,465 feet west of the Interstate Highway Interchange and lies between the interchange and Miles City. The site is level and is approximately on grade with Highway No. 12. It has 466.7 feet of frontage on Highway 12 and a depth of 466.7 feet.

SUMMARY OF APPROVED APPRAISAL

Since only a small portion of the entire remainder was involved in this transaction, a tabulation of the State's appraisal for the entire property will not be included in this report.

CHANGE IN VALUE OF PORTION SOLD (5 ACRES)

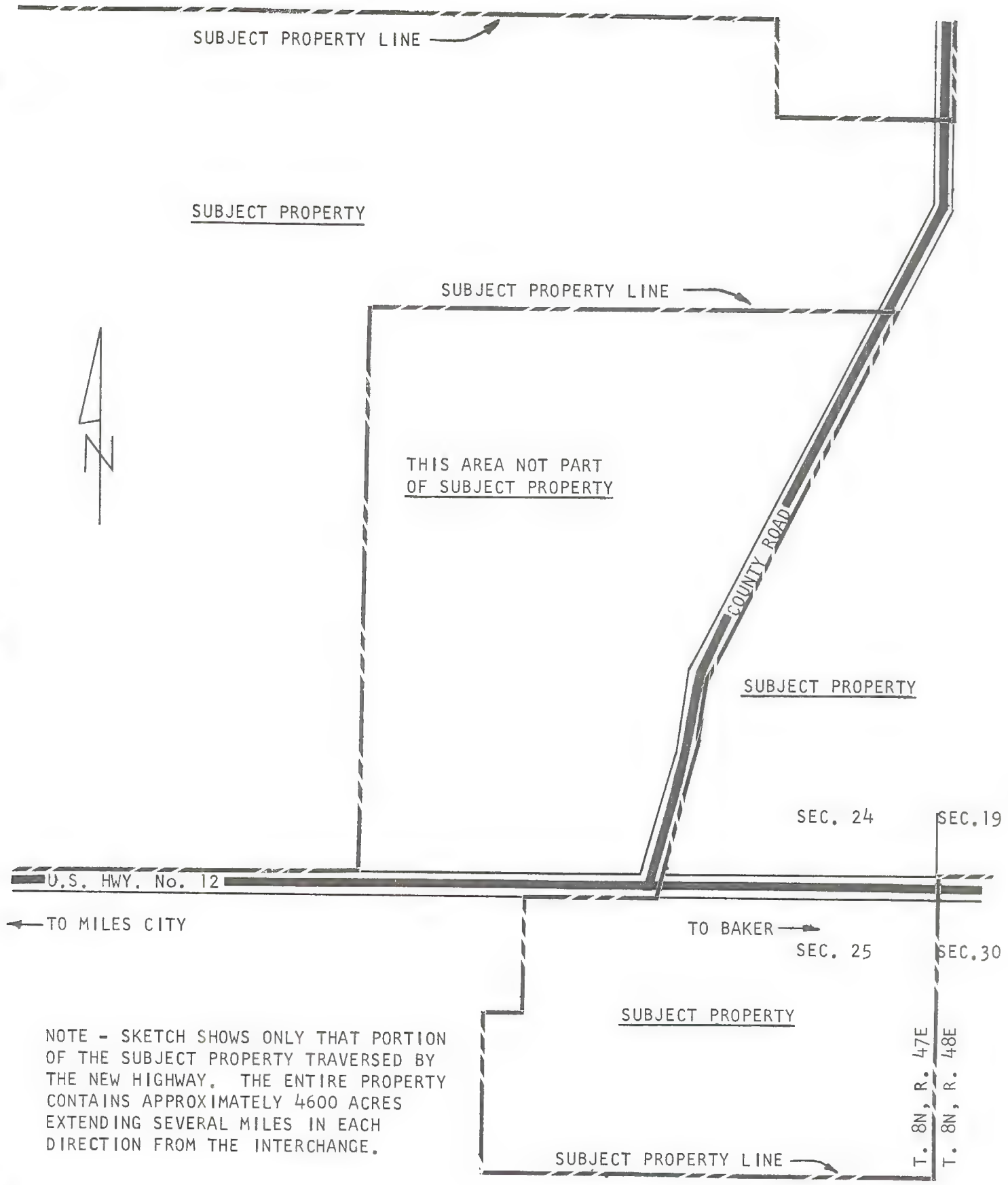
	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Sold	$1,500	$ 1,500
After Value of Part Sold	1,500	10,000
Change in Value of Part Sold	+$ 0	+$ 8,500
Per Cent Change in Value	$0 / $1,500 0%	$8,500 / $1,500 +567%

NOTE: According to the appraisal, the sale tract contributed $300 per acre to the value of the entire property both before and after the taking.

REMARKS

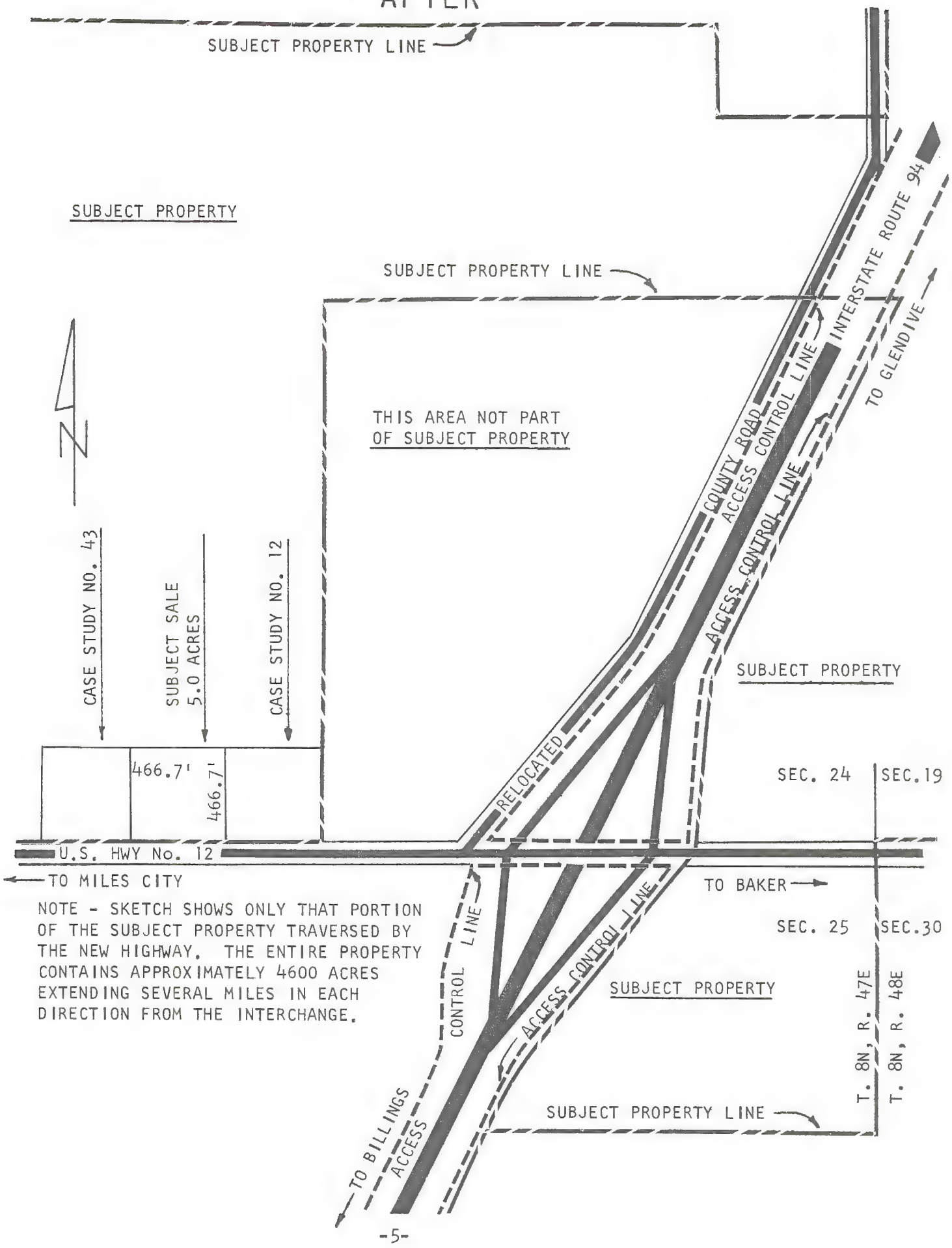
Several case studies indicate that oil companies are purchasing portions of larger properties at prices greatly exceeding the contribution value to the original property prior to the taking. This is particularly evident on remainders located on arterial highways between principal Interstate Highways interchanges and important population centers.

BEFORE



NOTE - SKETCH SHOWS ONLY THAT PORTION OF THE SUBJECT PROPERTY TRAVERSED BY THE NEW HIGHWAY. THE ENTIRE PROPERTY CONTAINS APPROXIMATELY 4600 ACRES EXTENDING SEVERAL MILES IN EACH DIRECTION FROM THE INTERCHANGE.

AFTER



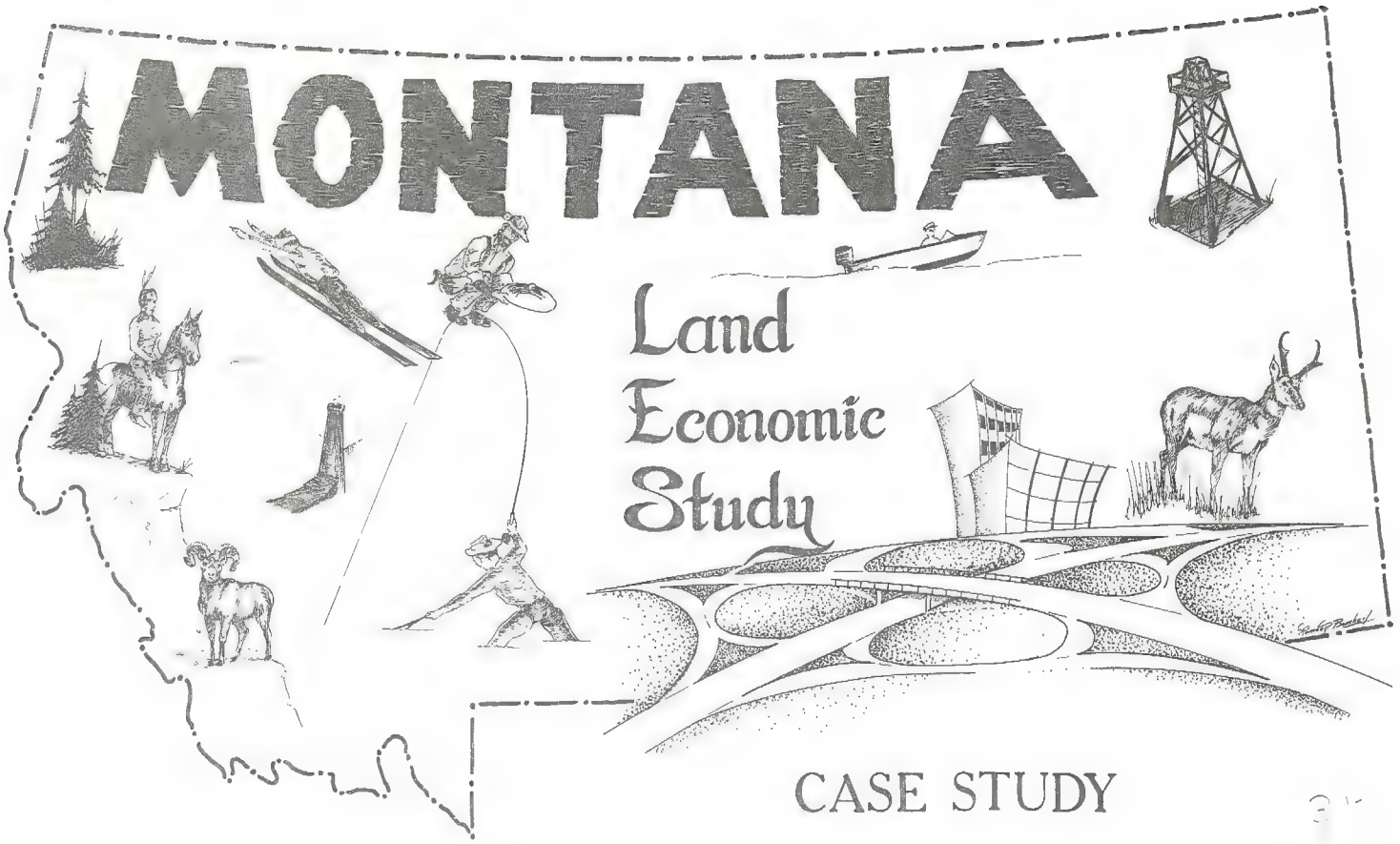
NOTE - SKETCH SHOWS ONLY THAT PORTION OF THE SUBJECT PROPERTY TRAVERSED BY THE NEW HIGHWAY. THE ENTIRE PROPERTY CONTAINS APPROXIMATELY 4600 ACRES EXTENDING SEVERAL MILES IN EACH DIRECTION FROM THE INTERCHANGE.

BEFORE

NO APPROPRIATE PHOTOGRAPH AVAILABLE

AFTER

MILES CITY
N
HWY. # 12
INTERSTATE ROUTE 94
SALE TRACT



CASE STUDY

NO. 43

STOCK RANCH

CHANGE IN USE OF PORTION NEAR INTERCHANGE

INTERSTATE ROUTE 94

NEAR MILES CITY, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

LOCATION

This property lies on the north and south sides of U. S. Highway No. 12 and on the east and west sides of Interstate Route 94 approximately 1½ mile northeast of Miles City, Montana. Miles City is the Seat of Custer County and had a 1960 population of 9,665.

This property is the same one described in Case Studies No. 12 and 42. The sale tract considered in this report is adjacent to the west line of the sale tract considered in Study No. 42.

NARRATIVE DESCRIPTION OF THE PROPERTY BEFORE THE TAKING

Before the taking, this was a 4,594 acre stock ranch comprised of irrigated crop land located on the westerly part of the property and dry grazing land located on the east. The property was extensively improved with several sets of farm and ranch buildings at various locations on the westerly part of the property. Access was provided by the following roads: U. S. Highway No. 12 which runs in an east-west direction through the property; U. S. Highway No. 10 along the west side of the property; and two north-south county roads located on the westerly part of the property.

The property was estimated to have its highest and best use as a stock ranch.

NARRATIVE DESCRIPTION OF PORTION ACQUIRED FOR RIGHT OF WAY

In October, 1960, the State acquired 46 acres of grazing land from this property for the construction of Interstate Route 94. Plans included the construction of a full interchange at the intersection of the Interstate Highway with U. S. Highway No. 12.

The taking was in a southwest-northeast direction along the westerly edge of the grazing land. The only improvement included in the taking was a concrete powder house. All rights of direct access to the Interstate Highway were acquired by the State.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER THE TAKING

After the taking, this property contained 4,548 acres of irrigated crop land and grazing land. Except for the concrete powder house which was included in the taking, the building improvements remained the same as before the taking.

In addition to being divided into northerly and southerly portions by Highway No. 12, the property was divided into easterly and westerly portions by the new Interstate Highway. U. S. Highway No. 10 now serves as a local road. Access to U. S. Highway No. 12, to old Highway No. 10, and the county roads was essentially the same as before the taking.

All of the irrigated land and major building improvements were located west of the new facility. All but a small portion of the grazing was located east of the Interstate Highway.

The highest and best use of the remainder was estimated to be as a stock ranch.

SALE OF A PORTION OF THE REMAINDER

In February, 1964, an oil company secured an option to purchase a 5 acre tract from the remainder for a confirmed price of $10,000. A deed was executed in August, 1964, and is recorded on Page 259, Book 105 of Deeds, Custer County Records.

The sale tract is on the north side of Highway No. 12 approximately 1935 feet west of the Interstate Highway Interchange. It has 466.7 feet of frontage along Highway No. 12 and a depth of 466.7 feet.

The property was purchased as a service station site. The buyer advises that they have no definite plans as to the date that development of the property will begin. The buyer also advises that other sites in the vicinity of Interstate Highway Interchanges around Miles City were considered. The subject site was selected on the basis of traffic predictions and the minimum competition presently offered at this interchange. At the time of investigation, there was a truck stop operating on the adjacent property to the east (refer to Case Studies No. 12 and 42). Another oil company has purchased a site on the south side of Highway 12 closer to the interchange (refer to Case Study No. 44).

SUMMARY OF APPROVED APPRAISAL

A tabulation of the State's appraisal will not be included in this report because only a small portion of the entire remainder was involved in the sale.

CHANGE IN VALUE OF PORTION SOLD (5 ACRES)

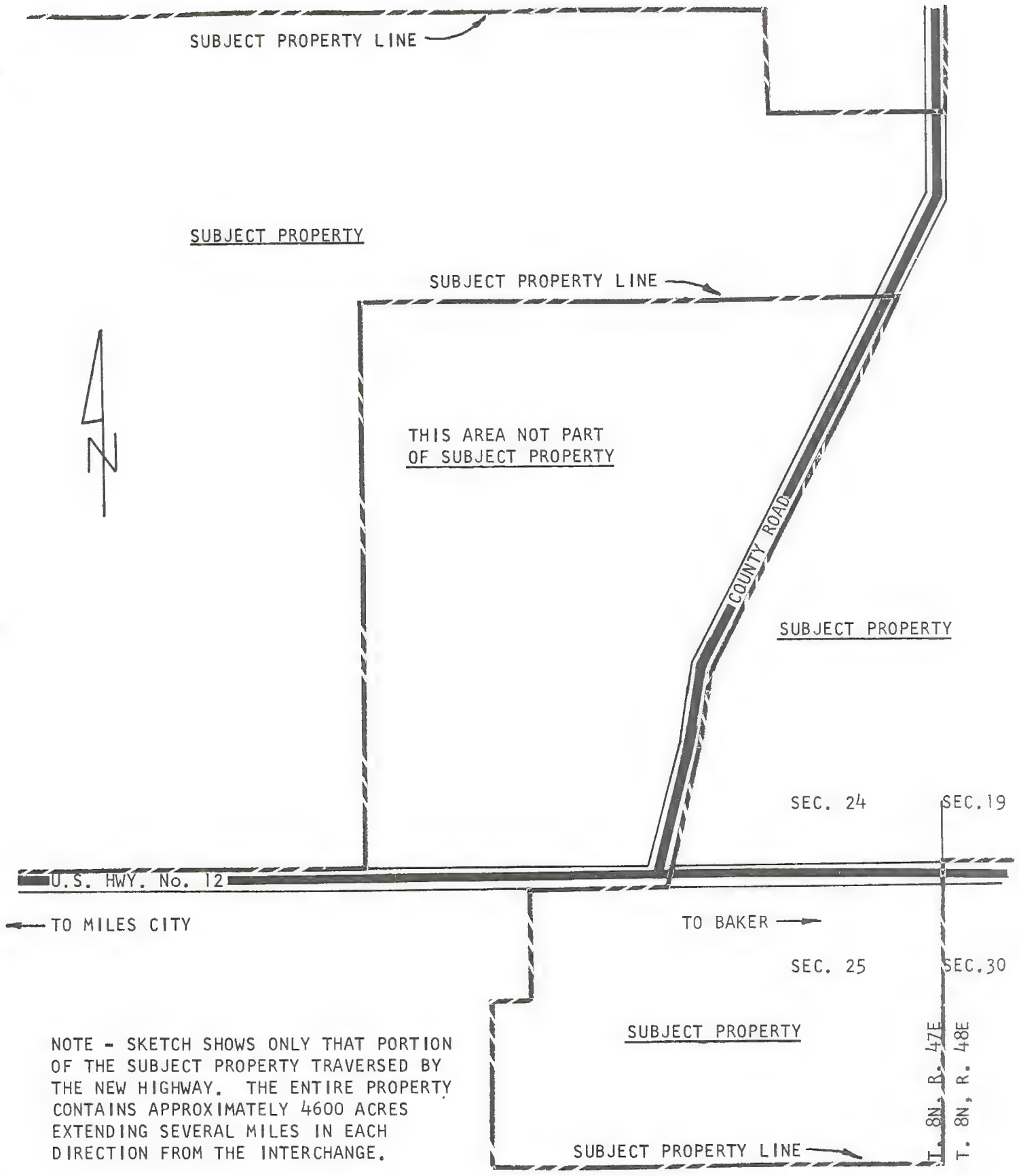
	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Sold	$1,500	$ 1,500
After Value of Part Sold	1,500	10,000
Change in Value of Part Sold	+$ 0	+$ 8,500
Per Cent Change in Value	$0 / $1,500 0%	$8,500 / $1,500 +567%

NOTE: According to the appraisal, the sale tract contributed $300 per acre to the value of the entire property both before and after the taking.

REMARKS

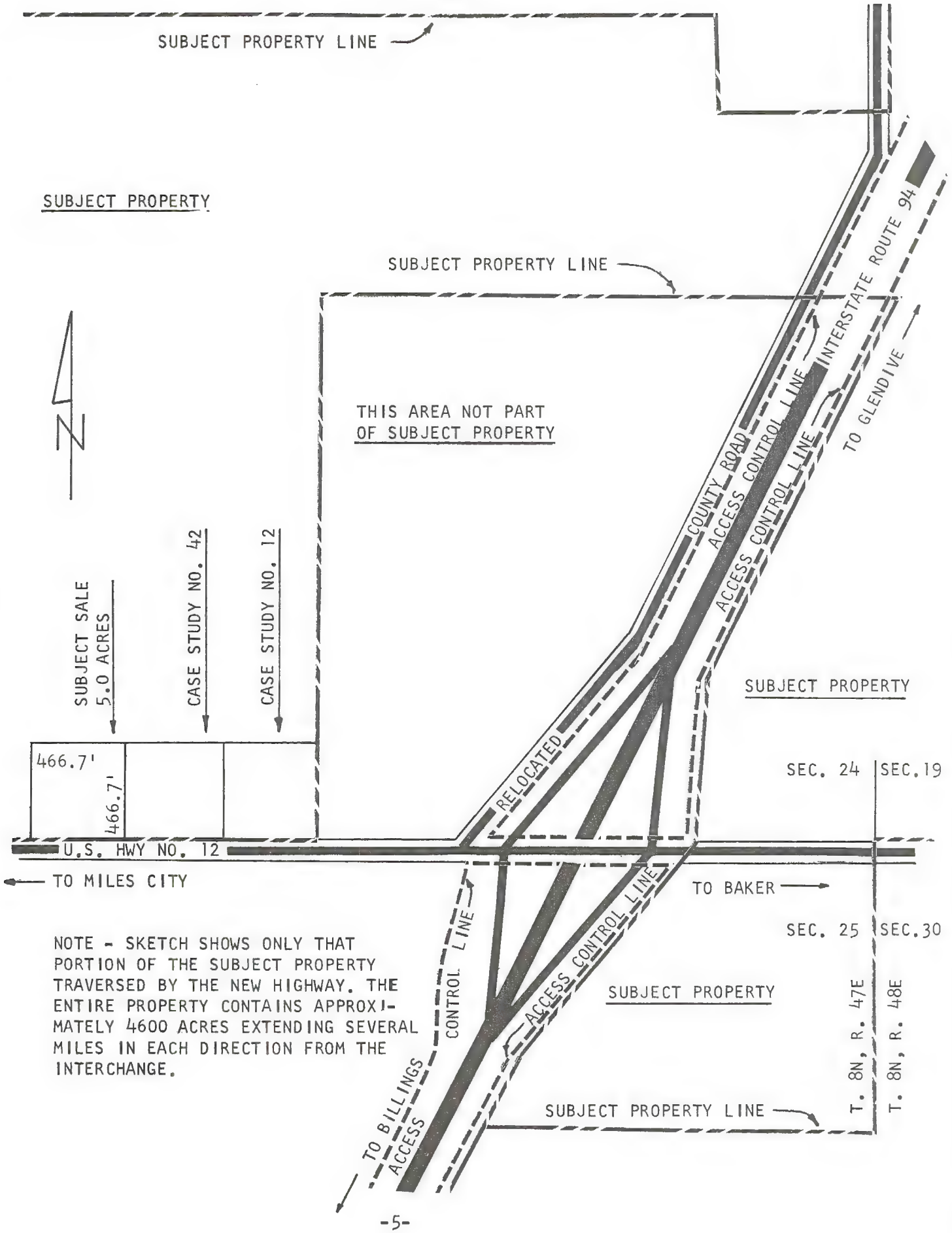
Several case studies indicate that oil companies are purchasing portions of larger properties at prices greatly exceeding the contribution value to the original property prior to the taking. This is particularly evident on remainders located on arterial highways between principal Interstate Highway interchanges and important population centers.

BEFORE



NOTE - SKETCH SHOWS ONLY THAT PORTION OF THE SUBJECT PROPERTY TRAVERSED BY THE NEW HIGHWAY. THE ENTIRE PROPERTY CONTAINS APPROXIMATELY 4600 ACRES EXTENDING SEVERAL MILES IN EACH DIRECTION FROM THE INTERCHANGE.

AFTER



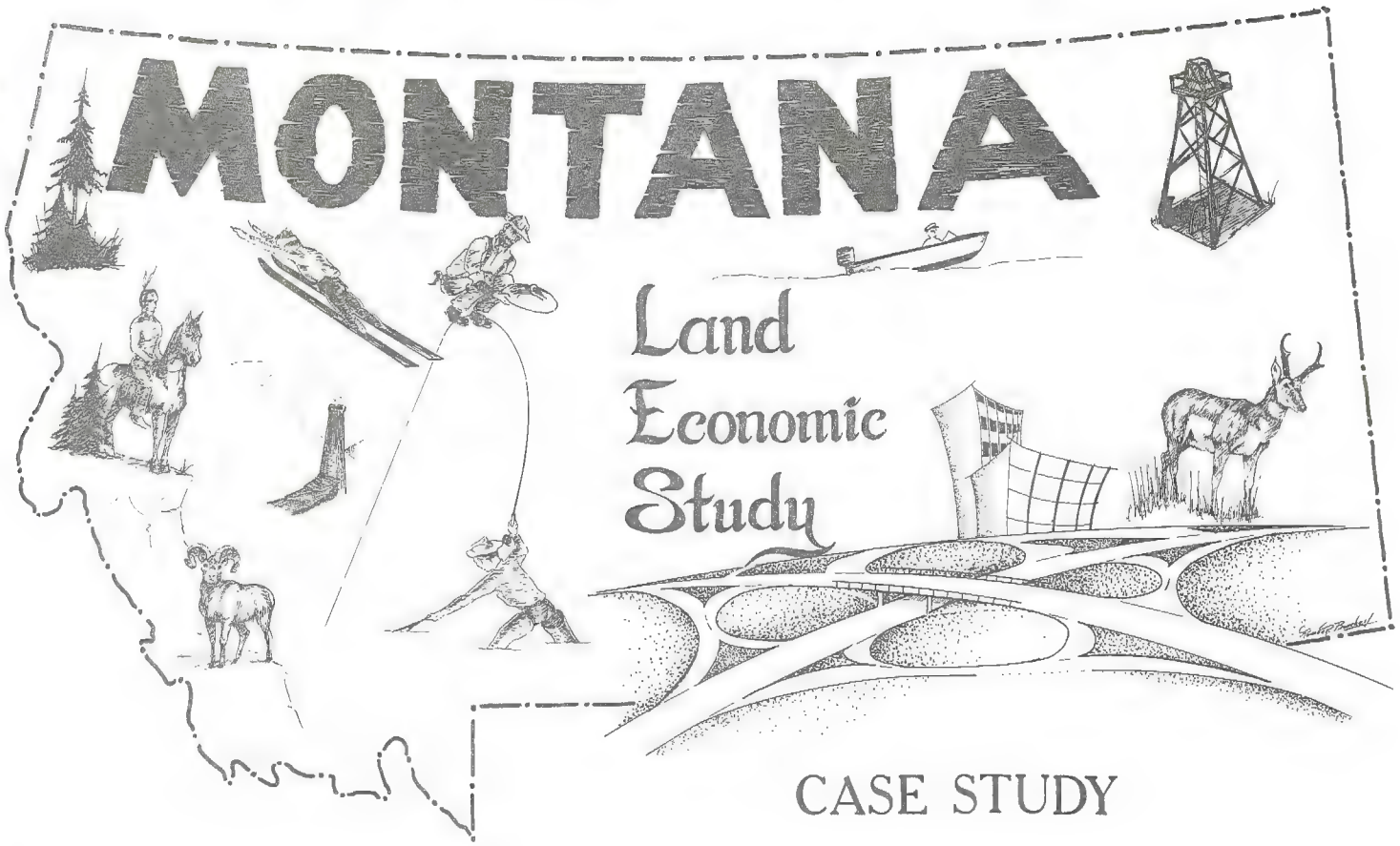
NOTE - SKETCH SHOWS ONLY THAT PORTION OF THE SUBJECT PROPERTY TRAVERSED BY THE NEW HIGHWAY. THE ENTIRE PROPERTY CONTAINS APPROXIMATELY 4600 ACRES EXTENDING SEVERAL MILES IN EACH DIRECTION FROM THE INTERCHANGE.

BEFORE

NO APPROPRIATE PHOTOGRAPH AVAILABLE

AFTER

INTERSTATE ROUTE 94
MILLS CITY
SALE YARD
N



CASE STUDY

NO. 44

STOCK RANCH

CHANGE IN USE OF PORTION NEAR INTERCHANGE

INTERSTATE ROUTE 94

NEAR MILES CITY, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

LOCATION

This property is located on the southerly side of U. S. Highway No. 12, approximately two miles northeast of Miles City, Montana. It lies on both sides of Interstate Route 94 and is adjacent to the Baker Interchange at the Intersection of Interstate Route 94 and Highway 12.

Miles City is the Seat of Custer County and had a 1960 population of 9,665.

NARRATIVE DESCRIPTION OF THE PROPERTY BEFORE THE TAKING

Prior to the State's acquisition, the subject property was a 1,437 acre stock ranch containing both irrigated and non-irrigated land. All of the irrigated land was located on the westerly part of the ranch. The property was improved with two separate sets of farm buildings, located on the westerly part of the property.

Access was provided by approximately 2,950 feet of frontage on the south side of U. S. Highway No. 12 and by approximately 2,470 feet of frontage on the east side of a county road, which bordered the west line of the ownership.

The highest and best use of the property was estimated to be as a stock ranch.

NARRATIVE DESCRIPTION OF PORTION ACQUIRED FOR RIGHT OF WAY

In October, 1960, the State acquired 12.57 acres of land from the subject property for the construction of Interstate Route 94. The taking ran in a northeast - southwest direction across the westerly part of the property.

The acquisition included all rights of direct access to the new facility.

The State's plans called for the construction of a full interchange at the intersection of Interstate Route 94 and U. S. Highway No. 12. A grade separation carrying Highway No. 12 over the Interstate Highway created a fill on the west side of the Interchange in front of one set of improvements.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER THE TAKING

After the taking, the property contained 1,424.58 acres. The irrigated land was located on the west side of the Interstate Highway and the non-irrigated land was located east of the new highway. A full interchange was located at the north property line. One set of building improvements, including the dwelling occupied by the owner, is located in the southwest quadrant of the interchange facing U. S. Highway No. 12 which has been raised approximately 14 feet above its former elevation to meet the grade separation structure over the Interstate Highway.

The remainder has no direct physical access to the new Interstate Highway, but it does have access to U. S. Highway No. 12 and to the graveled county road along the west property line. However, it was necessary for the owner to construct an approach road along the south side of Highway No. 12 to the improvements which he occupies.

The estimated highest and best use of the remainder was as a stock ranch.

SALE OF A PORTION OF THE REMAINDER

In June, 1964, an oil company obtained an option to purchase a 4 acre tract from the westerly remainder for a confirmed price of $10,000. A deed was executed in December, 1964, and is recorded on Page 86, Book 106 of Deeds, Custer County Records.

The sale tract is located approximately 650 feet west of the Baker Interchange on the south side of Highway No. 12, immediately west of the owner's improvements. The tract has 373.6 feet of frontage along Highway No. 12 and a depth of 467 feet. It is located at the west end of the grade change on Highway 12 and lies slightly below the roadway fill. Access to the sale tract is provided by the approach road which was constructed by the seller. However, it appears that direct access to Highway No. 12 can be achieved at the northwest corner of the sale tract.

The site was vacant and unimproved at the time of investigation in May, 1965, but the buyer advises that they hope to develop the tract with a motel along with service station facilities. The buyer further advises that their plans as to the time construction will begin depends on the development of Interstate traffic passing the site.

SUMMARY OF APPROVED APPRAISAL

Since the sale involved only a small portion of the entire remainder, a summary of the State's appraisal for the entire property will not be included in this report.

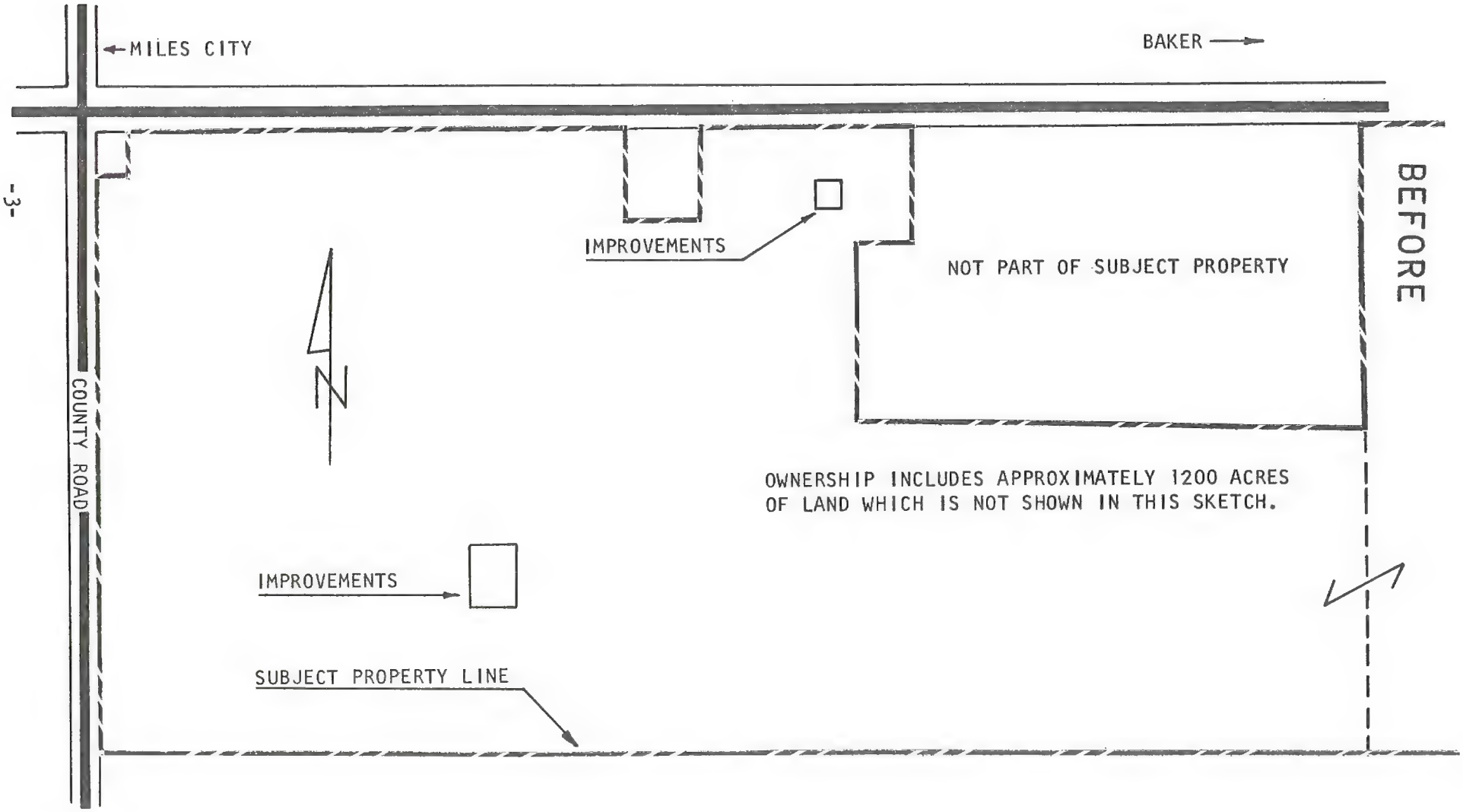
CHANGE IN VALUE OF PORTION SOLD (4 ACRES)

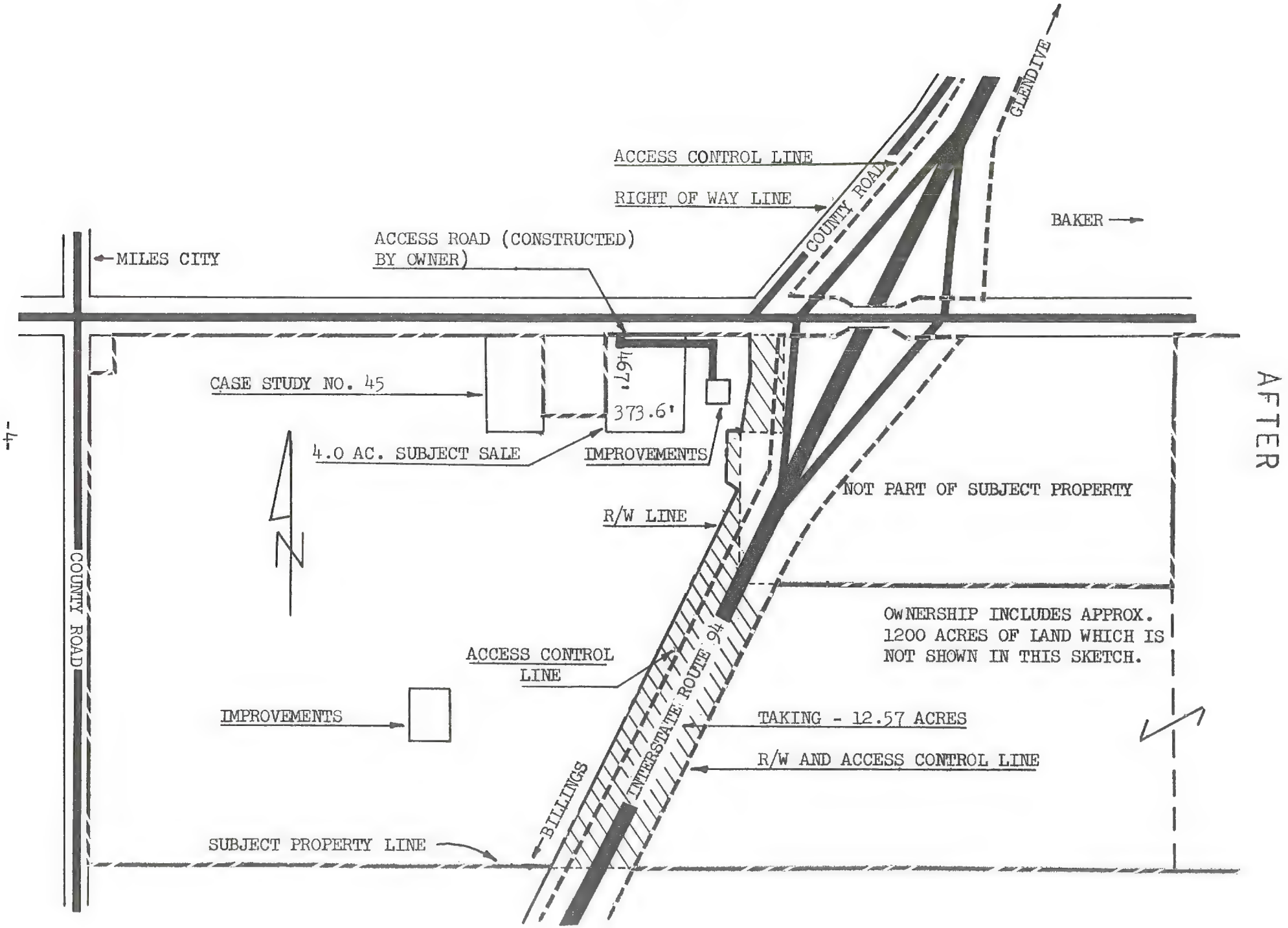
	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Sold	$1,200	$ 1,200
After Value of Part Sold	1,200	10,000
Change in Value of Part Sold	+$ 0	+$ 8,800
Per Cent Change in Value	$0 / $1,200 0%	$8,800 / $1,200 +733%

NOTE: According to the appraisal, the sale tract contributed $300 per acre to the value of the entire property both before and after the taking.

REMARKS

This sale further illustrates the change in use experienced by agricultural land located near a principle interchange, with an accompanying increase in value to a level far above the contribution of the sale tract to the entire property before the taking. Obviously such changes in use and value do not necessarily apply to the entire property, but the appraiser should be aware of the potential for such sales inasmuch as they may have a substantial effect on the marketability of the entire property.

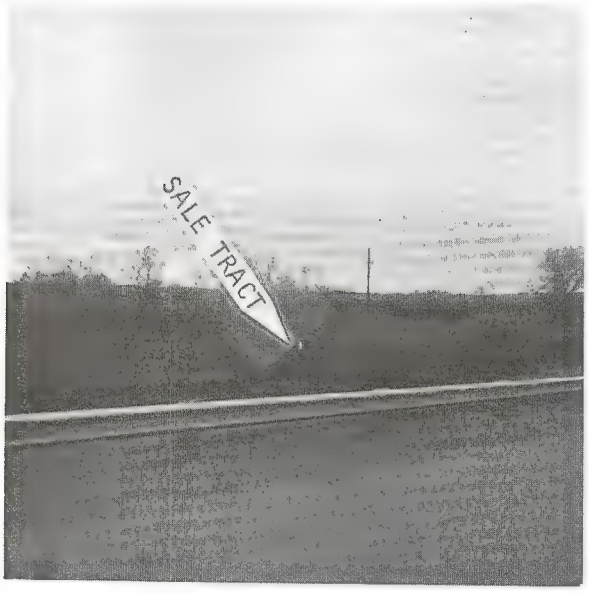

←MILES CITY
BAKER →
COUNTY ROAD
IMPROVEMENTS
NOT PART OF SUBJECT PROPERTY
BEFORE
N
OWNERSHIP INCLUDES APPROXIMATELY 1200 ACRES
OF LAND WHICH IS NOT SHOWN IN THIS SKETCH.
IMPROVEMENTS
SUBJECT PROPERTY LINE


AFTER
GLENDIVE
ACCESS CONTROL LINE
RIGHT OF WAY LINE
COUNTY ROAD
BAKER
MILES CITY
ACCESS ROAD (CONSTRUCTED BY OWNER)
CASE STUDY NO. 45
467'
373.6'
4.0 AC. SUBJECT SALE
IMPROVEMENTS
R/W LINE
NOT PART OF SUBJECT PROPERTY
COUNTY ROAD
OWNERSHIP INCLUDES APPROX. 1200 ACRES OF LAND WHICH IS NOT SHOWN IN THIS SKETCH.
ACCESS CONTROL LINE
INTERSTATE ROUTE 94
IMPROVEMENTS
TAKING - 12.57 ACRES
R/W AND ACCESS CONTROL LINE
BILLINGS
SUBJECT PROPERTY LINE

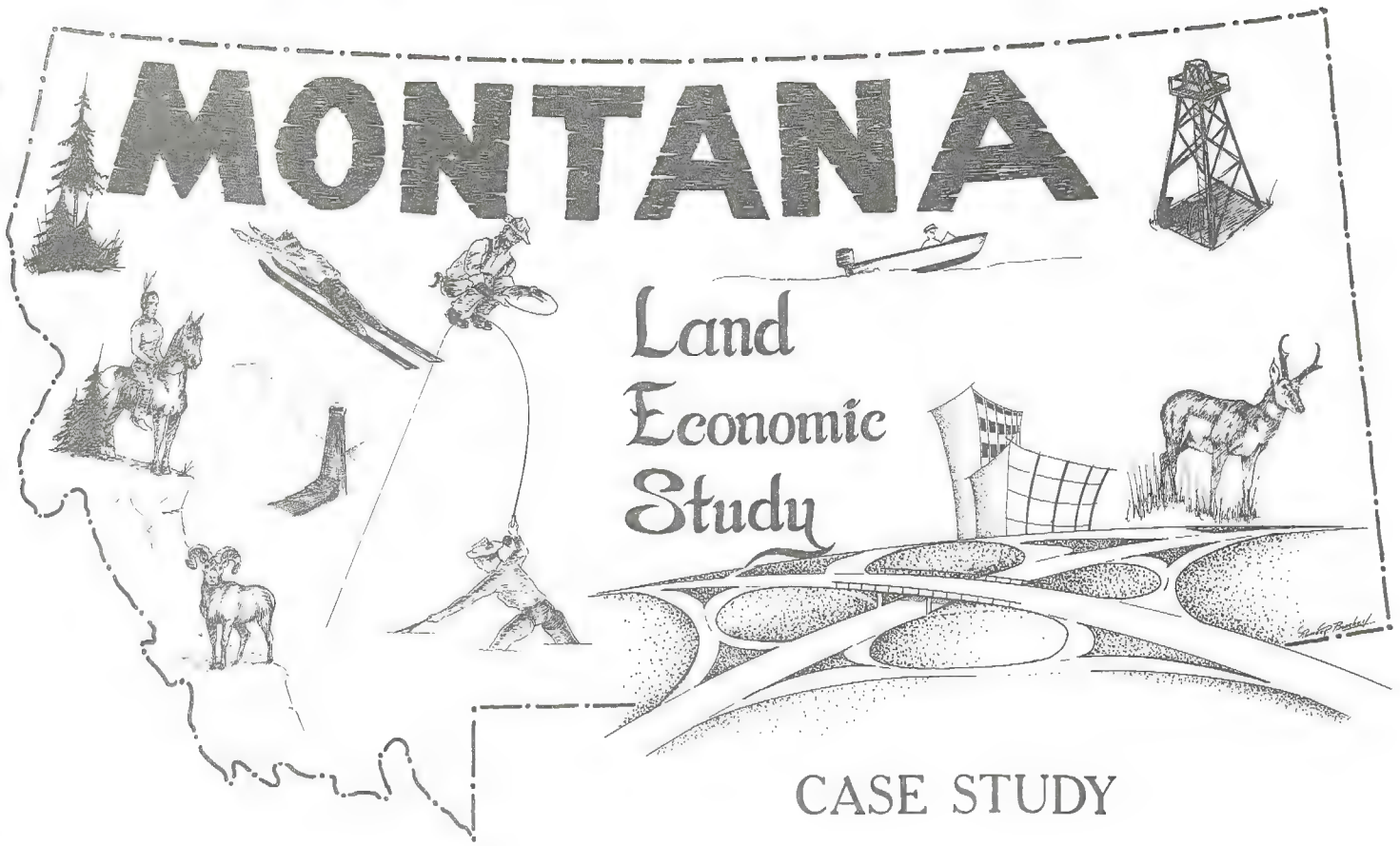
BEFORE

NO APPROPRIATE PHOTOGRAPH AVAILABLE

AFTER



MILES CITY
INTERSTATE ROUTE 94
HWY. # 12
SALE TRACT



CASE STUDY

NO. 45

STOCK RANCH

CHANGE IN USE OF PORTION NEAR INTERCHANGE

INTERSTATE ROUTE 94

NEAR MILES CITY, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

LOCATION

This property is located on the southerly side of U. S. Highway No. 12 approximately two miles northeast of Miles City, Montana. It lies on both sides of Interstate Route 94 and is adjacent to the Baker Interchange at the Intersection of Interstate Route 94 and Highway 12.

Miles City is the Seat of Custer County and had a 1960 population of 9,665.

NARRATIVE DESCRIPTION OF THE PROPERTY BEFORE THE TAKING

Prior to the State's acquisition, the subject property was a 1,437 acre stock ranch containing both irrigated and non-irrigated land. All of the irrigated land was located on the westerly part of the ranch. The property was improved with two separate sets of farm buildings, located on the westerly part of the property.

Access was provided by approximately 2,950 feet of frontage on the south side of U. S. Highway 12 and by approximately 2,470 feet of frontage on the east side of a county road which bordered the west line of the ownership.

The highest and best use of the property was estimated to be as a stock ranch.

NARRATIVE DESCRIPTION OF PORTION ACQUIRED FOR RIGHT OF WAY

In October, 1960, the State acquired 12.57 acres of land from the subject property for the construction of Interstate Route 94. The taking ran in a north-south direction across the westerly part of the property.

The acquisition included all rights of direct access to the new facility.

The State's plans called for the construction of a full interchange at the intersection of Interstate Route 94 and U. S. Highway No. 12. A grade separation carrying Highway 12 over the Interstate Highway created a fill on the west side of the Interchange in front of one of the sets of improvements.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER THE TAKING

After the taking, the property contained 1,424.58 acres. The irrigated land was located on the west side of the Interstate Highway and the non-irrigated land was located east of the new highway. A full interchange was located at the north property line. One set of building improvements, including the dwelling occupied by the owner, is located in the southwest quadrant of the interchange facing U. A. Highway No. 12 which has been raised approximately 14 feet above its former elevation to meet the grade separation structure over the Interstate Highway.

The remainder has no direct physical access to the new Interstate Highway, but it does have access to U. S. Highway No. 12 and to the graveled county road along the west property line. However, it was necessary for the owner to construct an approach road along the south side of Highway No. 12 to the improvements which he occupies.

The estimated highest and best use of the remainder was as a stock ranch.

SALE OF A PORTION OF THE REMAINDER

In May, 1964, a three acre tract was sold from the remainder for a confirmed price of $6,000. The deed for this transaction is recorded on Page 33, Book 105 of Deeds, Custer County Records.

The sale tract has 280 feet of frontage on the south side of Highway No. 12 and a depth of 467 feet. It is located approximately 1,330 feet west of the Baker Interchange on Interstate Route 94.

The property is now improved with a motel consisting of 13 units plus an office and manager's living quarters. The motel is constructed of mobil homes set end to end on permanent foundations.

SUMMARY OF APPROVED APPRAISAL

A tabulation of the State's appraisal for the entire property will be omitted from this report since the sale tract involved only a small portion of the entire remainder.

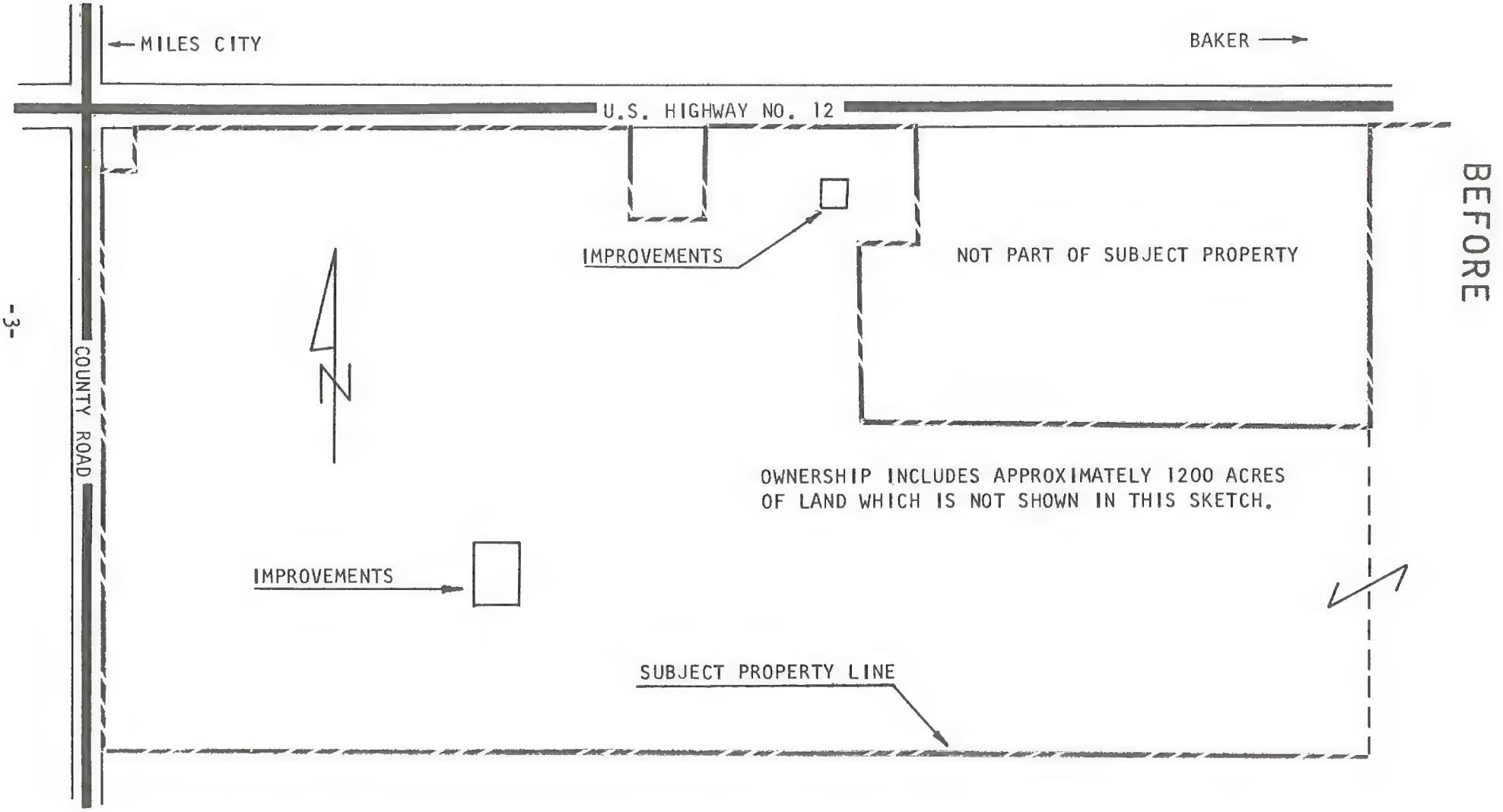
CHANGE IN VALUE OF PART SOLD (3 ACRES)

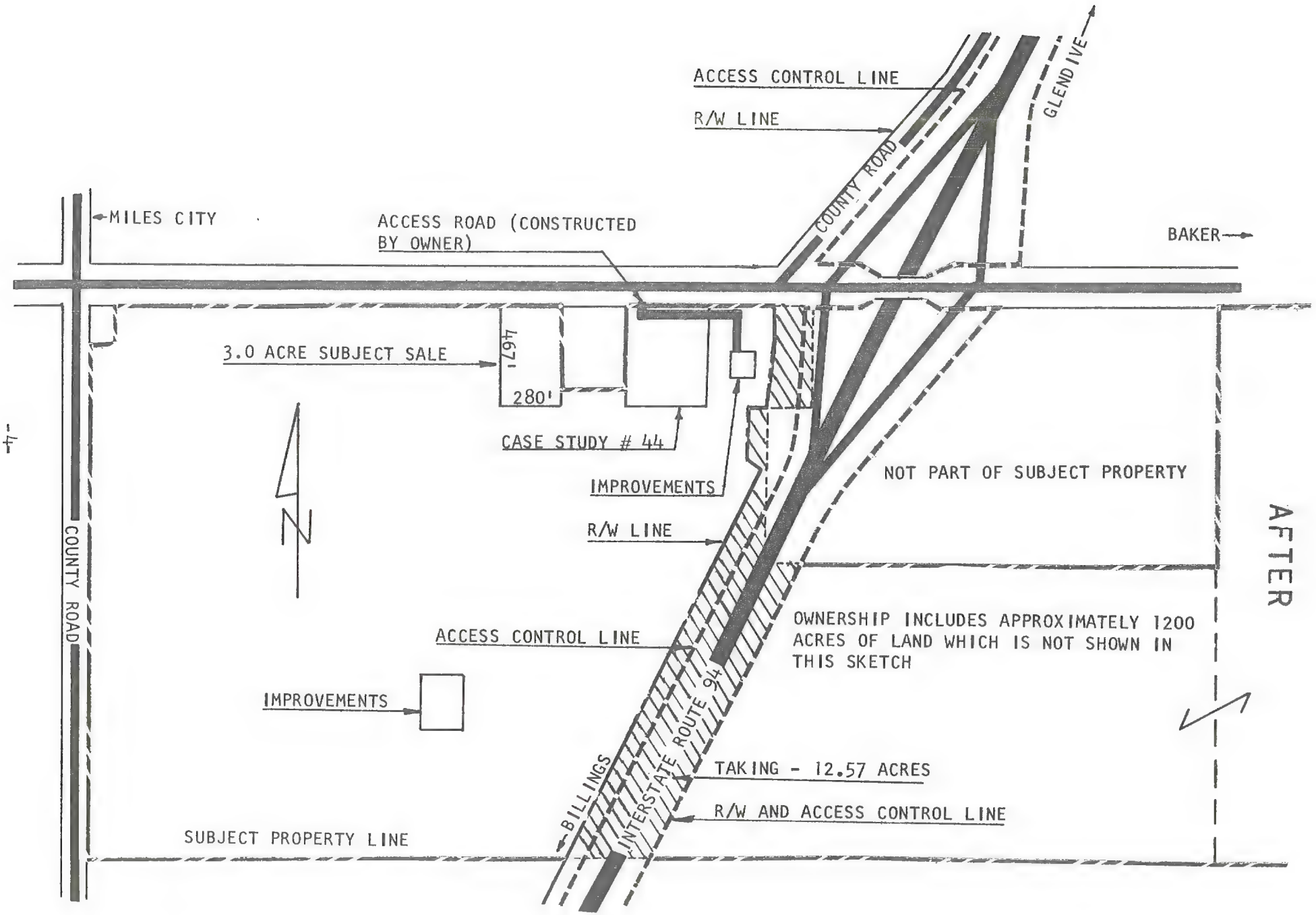
	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Sold	$900	$ 900
After Value of Part Sold	900	6,000
Change in Value of Part Sold	$ 0	+$5,100
Per Cent Change in Value	$0 / $900 0%	$5,100 / $900 +567%

NOTE: According to the appraisal, the sale tract contributed $300 per acre to the value of the entire property both before and after the taking.

REMARKS:

Due to its location on an arterial highway leading from a principle interchange to an important Montana City, portions of the remaining property (See also Case Study No. 44) have undergone a change in use from agricultural to commercial with accompanying increases in value far above the contribution of the sale tracts to the value of the entire property before the taking.


MILES CITY
BAKER
U.S. HIGHWAY NO. 12
IMPROVEMENTS
NOT PART OF SUBJECT PROPERTY
BEFORE
COUNTY ROAD
OWNERSHIP INCLUDES APPROXIMATELY 1200 ACRES
OF LAND WHICH IS NOT SHOWN IN THIS SKETCH.
IMPROVEMENTS
SUBJECT PROPERTY LINE

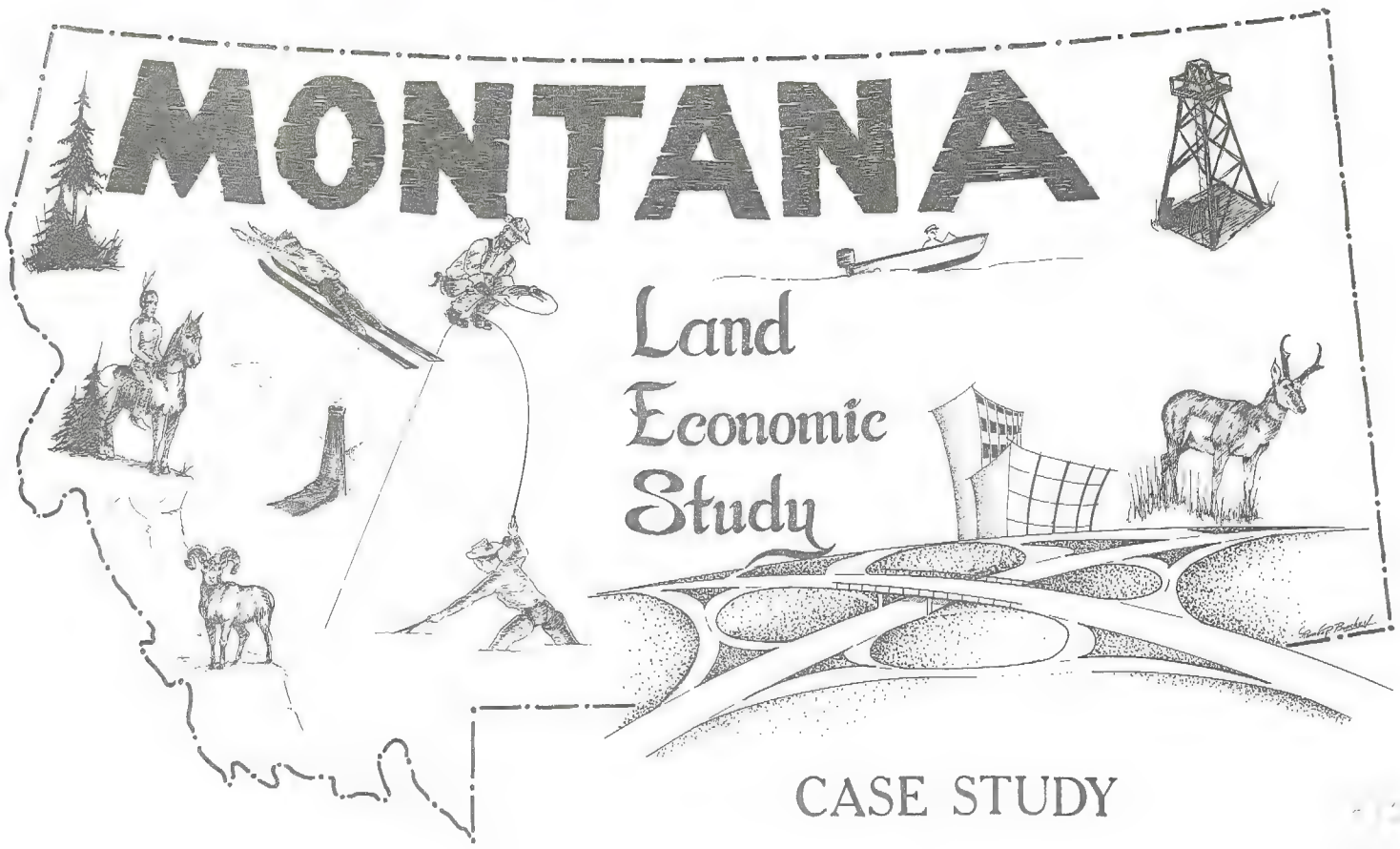

ACCESS CONTROL LINE
R/W LINE
GLENDIVE
COUNTY ROAD
MILES CITY
ACCESS ROAD (CONSTRUCTED BY OWNER)
BAKER
3.0 ACRE SUBJECT SALE
467'
280'
CASE STUDY # 44
IMPROVEMENTS
R/W LINE
NOT PART OF SUBJECT PROPERTY
AFTER
COUNTY ROAD
ACCESS CONTROL LINE
OWNERSHIP INCLUDES APPROXIMATELY 1200 ACRES OF LAND WHICH IS NOT SHOWN IN THIS SKETCH
IMPROVEMENTS
BILLINGS
INTERSTATE ROUTE 94
TAKING - 12.57 ACRES
R/W AND ACCESS CONTROL LINE
SUBJECT PROPERTY LINE

BEFORE

NO APPROPRIATE PHOTOGRAPH AVAILABLE

AFTER

MILES CITY
INTERSTATE ROUTE 94
HWY. # 12
SALE TRACT



CASE STUDY

NO. 46

SMALL FARM

PORTION LANDLOCKED

INTERSTATE ROUTE 94

MILES CITY, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

LOCATION

The subject property is located about seven miles northeast of Miles City, Montana. Miles City, the County Seat of Custer County, is a major livestock marketing area and had a 1960 population of 9,665.

NARRATIVE DESCRIPTION OF THE PROPERTY BEFORE THE TAKING

Before the taking, this property contained 160 acres consisting of 56 acres of irrigated land, 33 acres of dry crop land, and 71 acres of grazing land. There were no building improvements. The farm reflected poor management and production was below average for this area.

The property did not have frontage on a public road. Access was provided by a private road easement across the adjoining property to the south.

The highest and best use of the property was estimated to be for livestock production.

NARRATIVE DESCRIPTION OF PORTION ACQUIRED FOR RIGHT OF WAY

In October, 1960, the State of Montana acquired 9.58 acres of dry cultivated land and 0.17 acres of irrigated land for the purpose of constructing Interstate Highway No. 94.

The taking included all rights of direct access to the new highway. It ran diagonally in a southwest to a northeast direction across the easterly portion of the property leaving remainders on both sides. The State also acquired a portion of the access road serving the property.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER THE TAKING

After the taking, the property contained 150.25 acres of which 65.8 acres were located on the southeasterly side of the highway and 84.45 acres remained on the northwesterly side of the highway. The southeasterly remainder, which contained 50.0 acres of grazing land and 15.8 acres of dry cultivated land, was completely landlocked. The northwesterly remainder, containing 21.0 acres of grazing land, 7.62 acres of dry cultivated land, and 55.83 acres of irrigated land was also left without means of access; however, compensation paid to the owner included cost of restoring the access road. As a result, this remainder was not considered to be landlocked.

The highest and best use of the remainder was estimated to be for livestock production.

SALE OF THE REMAINDER

In March, 1964, the entire remainder was sold to the abutting owner to the south. This transaction is recorded on Page 476, Book 104 of Deeds, Custer County Records.

The buyer had owned this property previously. Approximately 12 years ago he sold it to a party who partially developed it as a feed lot after the State's acquisition. This enterprise did not work out satisfactorily and the property was placed on the market for $12,000. It was held at this price for approximately two years before the buyer bought it back for a confirmed price of $7,500.

The feed lot improvements have been removed and it appears that they did not contribute to the selling price.

SUMMARY OF APPROVED APPRAISAL

BEFORE VALUE:		
Land - 33.0 Acres @ $ 60.00	$1,980.00	
30.0 Acres @ $200.00	6,000.00	
26.0 Acres @ $ 65.00	1,690.00	
71.0 Acres @ $ 20.00	1,420.00	
TOTAL BEFORE VALUE		$11,090.00
AFTER VALUE:		
Land - 15.80 Acres @ $ 6.00	$ 94.80	
7.62 Acres @ $ 60.00	457.20	
29.83 Acres @ $200.00	5,966.00	
26.00 Acres @ $ 65.00	1,690.00	
21.00 Acres @ $ 20.00	420.00	
50.00 Acres @ $ 2.00	100.00	
Less Cost of Restoring Access Road	- 145.00	
TOTAL AFTER VALUE		8,583.00
TOTAL COMPENSATION		$ 2,507.00
VALUE OF PART TAKEN:		
Land - 9.58 Acres @ $ 60.00	$574.80	
0.17 Acres @ $200.00	34.00	
TOTAL		608.80
REDUCTION IN VALUE OF PART NOT TAKEN		$ 1,898.20
Value of Property Before Taking	$11,090.00	
Value of Part Taken	608.80	
BEFORE VALUE OF PART NOT TAKEN	$10,481.20	

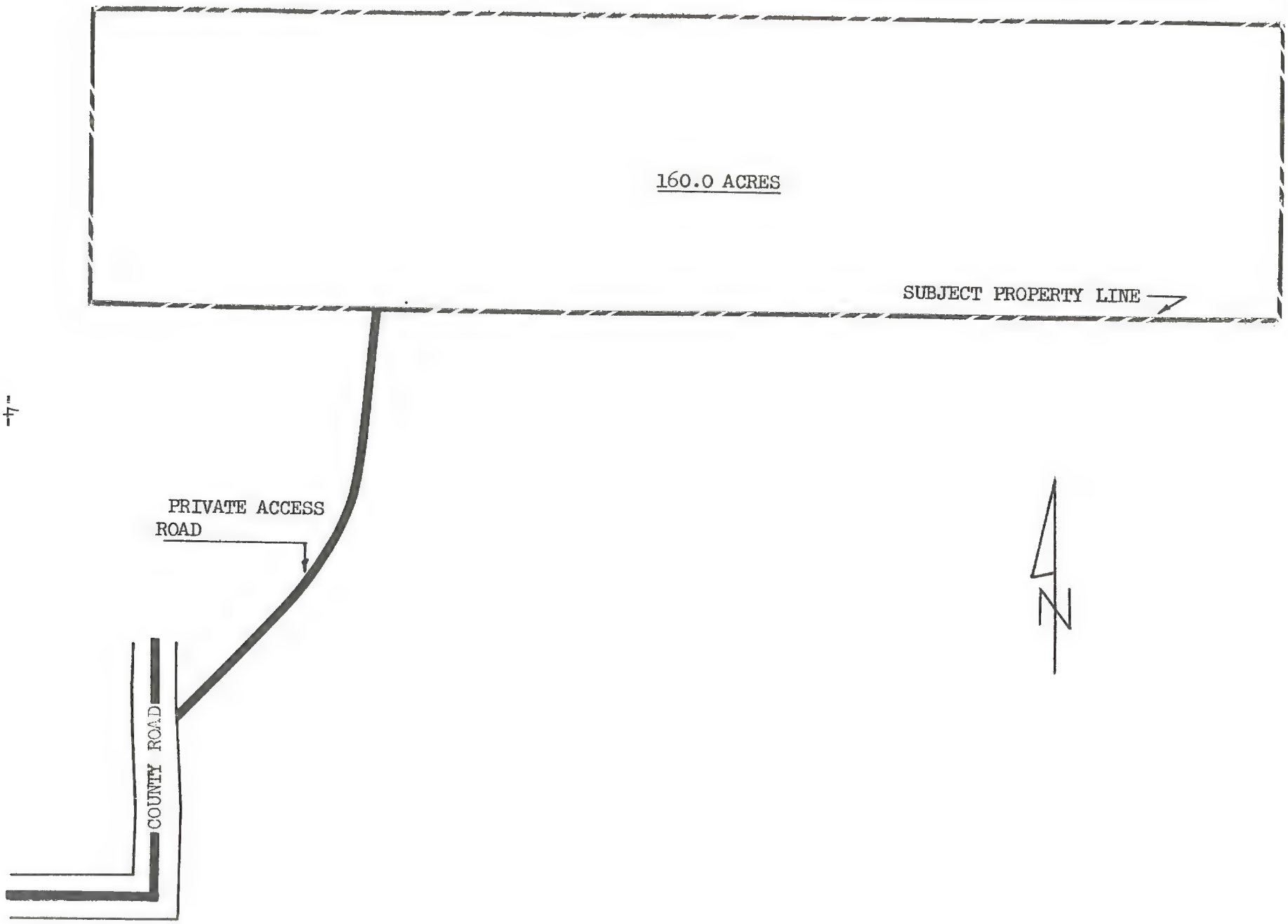
Investigation discloses that there has been no significant change in the value of this type of property in the interval between the State's acquisition and the sale of the remainder. It is therefore not necessary to adjust the appraisal for changed market conditions.

CHANGE IN VALUE OF PART NOT TAKEN

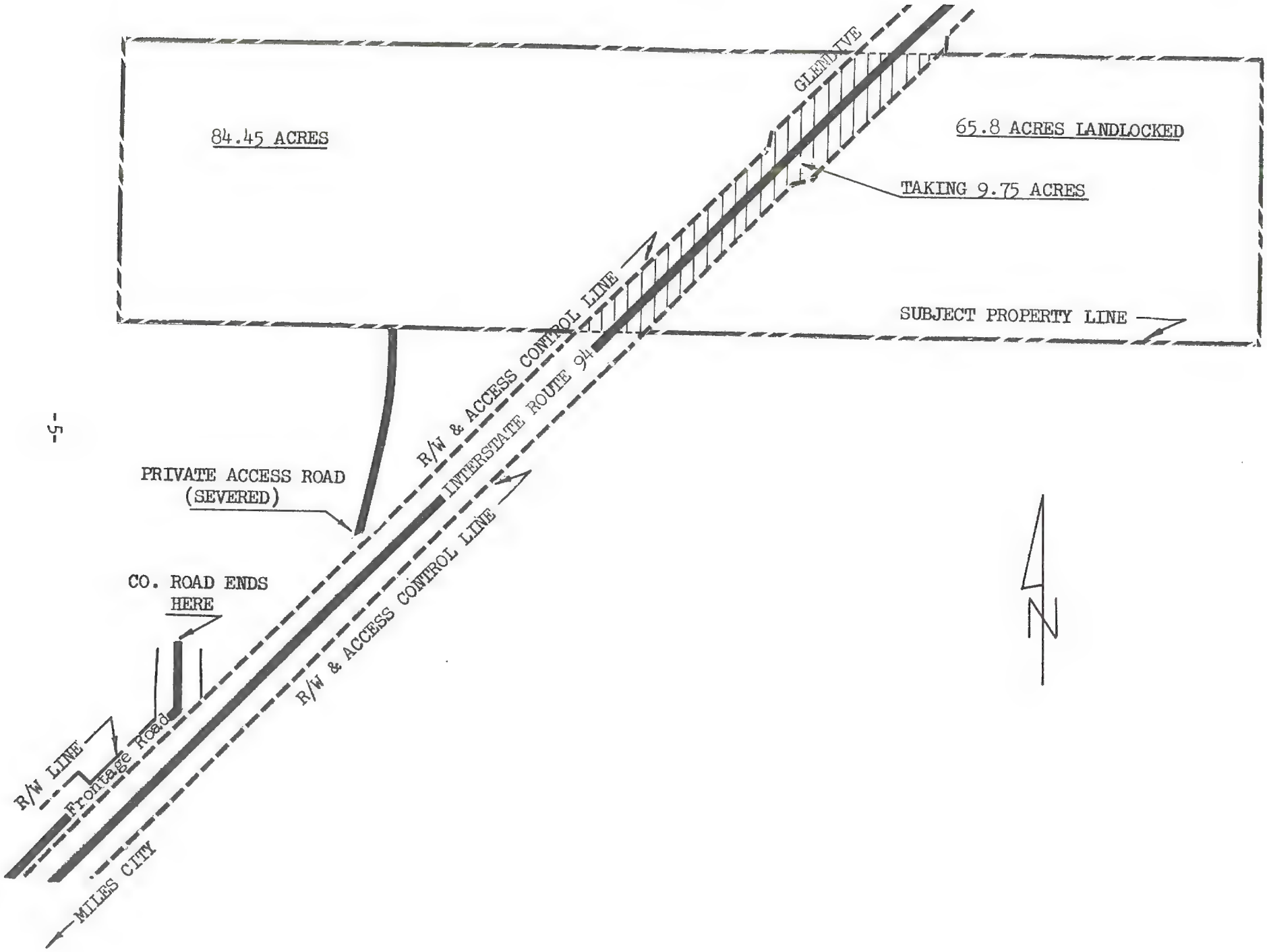
	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Not Taken	$10,481.20	$10,481.20
After Value of Part Not Taken	8,583.00	7,500.00
Change in Value of Part Not Taken	-$ 1,898.20	-$ 2,981.20
Per Cent Change in Value	$1,898.20 / $10,481.20 -18%	$2,981.20 / $10,481.20 -28%

REMARKS

The loss of value indicated by the sale is greater than anticipated by the appraiser. At the time this property was appraised, the State was in the early stages of its experience with controlled access highways, and there was very little market information available on which to base a soundly supported conclusion as to the After Value of the property. This property was in a limited market position, being adjoined by only two properties that could utilize the entire remainder. This condition was amplified at the time of sale due to the fact that one of the two adjoining owners wanted to sell and was not interested in acquiring additional land. Therefore, the buyer was in a position to wait until the seller was willing to accept a lower price.


160.0 ACRES
SUBJECT PROPERTY LINE
PRIVATE ACCESS ROAD
COUNTY ROAD
N

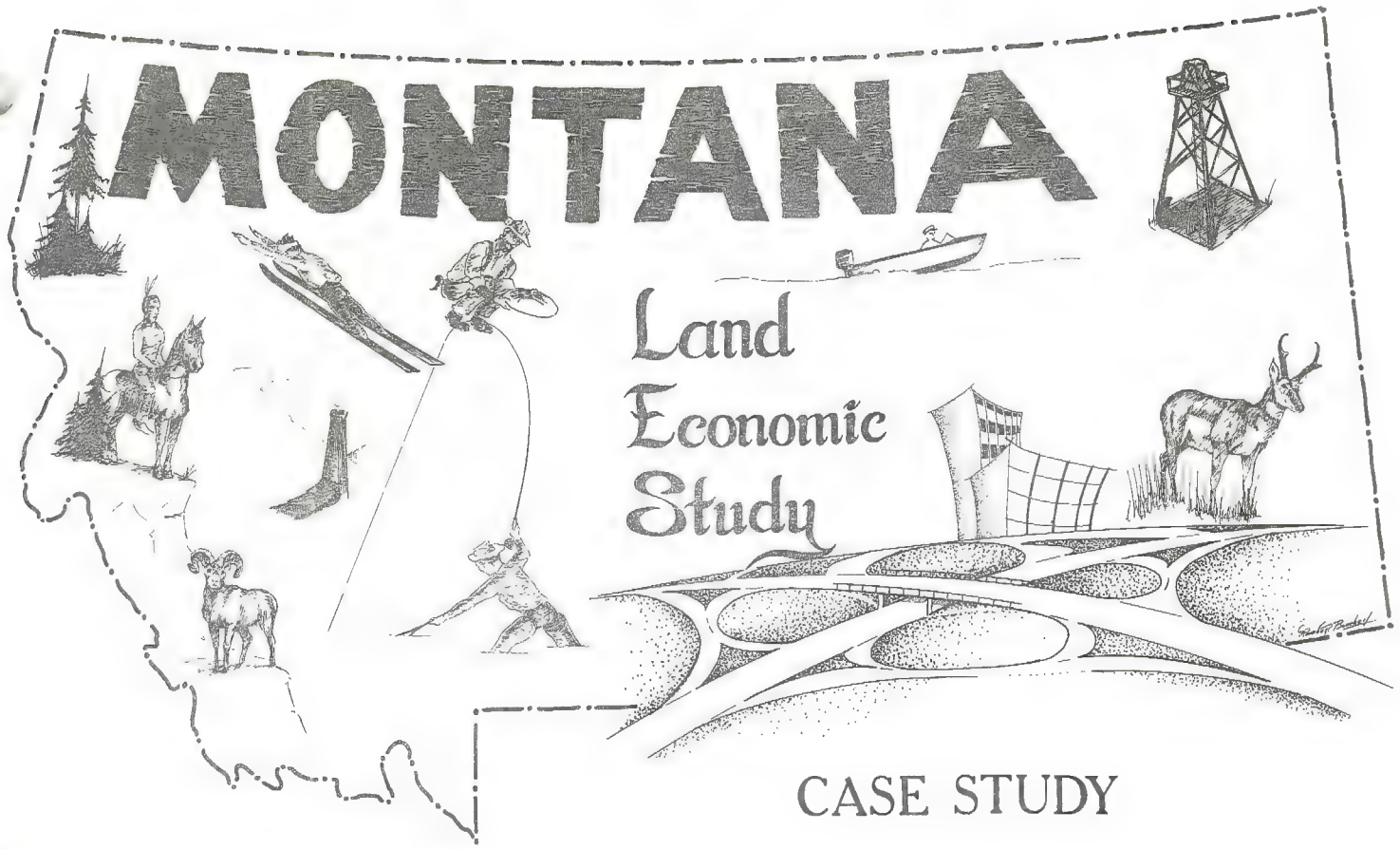
BEFORE


84.45 ACRES
65.8 ACRES LANDLOCKED
GLENDIVE
TAKING 9.75 ACRES
SUBJECT PROPERTY LINE
R/W & ACCESS CONTROL LINE
INTERSTATE ROUTE 94
PRIVATE ACCESS ROAD
(SEVERED)
CO. ROAD ENDS
HERE
R/W & ACCESS CONTROL LINE
R/W LINE
Frontage Road
MILES CITY
N

AFTER

SUBJECT PROPERTY
INTERSTATE ROUTE 94

Library



CASE STUDY

NO. 47

SINGLE FAMILY RESIDENCE

CHANGE IN GRADE AND PROXIMITY

SECONDARY ROUTE 209

NEAR BIG FORK, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

LOCATION

This property is located at the intersection of State Highway 35 and Secondary Route 209 approximately one-quarter of a mile south of the resort community of Big Fork, Montana, on the east shore of Flathead Lake. The nearest urban place is Kalispell, about twenty miles northwest of Big Fork. Kalispell is the seat of Flathead County and had a 1960 population of 10,151.

NARRATIVE DESCRIPTION OF THE PROPERTY BEFORE THE TAKING

Before the taking, this property consisted of two tracts of land separated by State Highway 35. That part of the property located west of the highway contained 2.21 acres and was unimproved. The part lying east of the highway contained 2.26 acres and was improved with a single family residence. A county road bordered the east line of this tract. Both tracts were nearly level, but were substantially above the grade of Highway 35. The easterly tract was slightly above the county road.

Access to the easterly tract was provided by approaches on Highway 35 and the county road. There was no means of physical access to the westerly tract.

The building improvements on the easterly tract consisted of a 1,046 square foot frame dwelling, a carport, and a shed. Site improvements consisted of a large lawn area, a stone wishing well, gravel driveways, and approximately 200 young spruce trees. In addition, both tracts were well covered with a natural growth of large evergreen trees.

The highest and best use of the property was estimated to be for subdivision into several residential sites.

NARRATIVE DESCRIPTION OF PORTION ACQUIRED FOR RIGHT OF WAY

In November 1962, the State acquired 0.50 of an acre of land from the subject property for the construction of Secondary Route 209. The taking was a wedge-shaped piece along the north line of the easterly tract. The only improvements in the area of taking were a series of septic tanks and drain fields serving the dwelling. There were no access rights involved in the acquisition. The westerly tract was not physically affected by the acquisition.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER THE TAKING

After the taking, the westerly tract remained the same as before the taking. The easterly tract, now containing 1.76 acres, is bordered on the west by Highway 35, on the east by the county road, and on the north by the new highway.

The improvements remained the same as before the taking, but the rear of the dwelling is 18 feet from the new right of way line and is about 14 feet above the highway.

As before, there is no physical access to the westerly tract. Access to the easterly tract is provided by approaches from Highway 35 and the county road, the same as before the taking. There is no direct access to the new highway.

The estimated highest and best use of the remainder was the same as before the taking, but with a reduced number of sites available on the easterly tract.

SALE OF A PORTION OF THE REMAINDER

In July 1963, the easterly portion of the remainder was sold on a contract for deed for a confirmed price of $19,000. The contract is recorded on Page 736 in Book 456 of Deeds, Flathead County records.

The property was purchased for use as a parsonage by the board of a church located on the adjoining property to the south. The parson's wife said that although the new highway was not built at the time of the sale, the church board was fully aware of the nature of the impending construction.

Since the sale, another bedroom has been constructed, an ornamental wood fence has been erected around the house, and the sewage system has been replaced by another septic tank and drain field.

SUMMARY OF APPROVED APPRAISAL

There was no noticeable change in the value of this type of property in the short interval between the taking and the sale of the remainder, so it is not necessary to adjust the appraisal for changed market conditions. Further, since only the easterly portion of the property was sold, the westerly portion will be omitted from the following tabulation.

BEFORE VALUE:

Land - 2.26 Acres		$ 9,000	
Improvements -	Dwelling	15,920	
	Carport	580	
	Shed	326	
	Site Improvements	2,200	
		TOTAL BEFORE VALUE	$28,026

AFTER VALUE:

Land - 1.76 Acres		$7,000	
Improvements -	Dwelling	8,644	
	Carport	580	
	Shed	326	
	Site Improvements	2,200	
		TOTAL AFTER VALUE	18,750
		TOTAL COMPENSATION	$ 9,276

	TOTAL COMPENSATION	$ 9,276
VALUE OF PART TAKEN:		
Land - 0.50 of an acre	$ 1,500	
	TOTAL OF PART TAKEN	$ 1,500
	REDUCTION IN VALUE OF PART NOT TAKEN	$ 7,776
Value of Property Before Taking	$28,026	
Value of Part Taken	1,500	
Before Value of Part Not Taken	$26,526	

CHANGE IN VALUE OF PART SOLD

	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Not Taken	$26,526	$26,526
After Value of Part Not Taken	18,750	19,000
Change in Value of Part Not Taken	-$ 7,776	-$ 7,526
Per Cent Change in Value	$7,776/$26,526 -29%	$7,526/$26,526 -28%

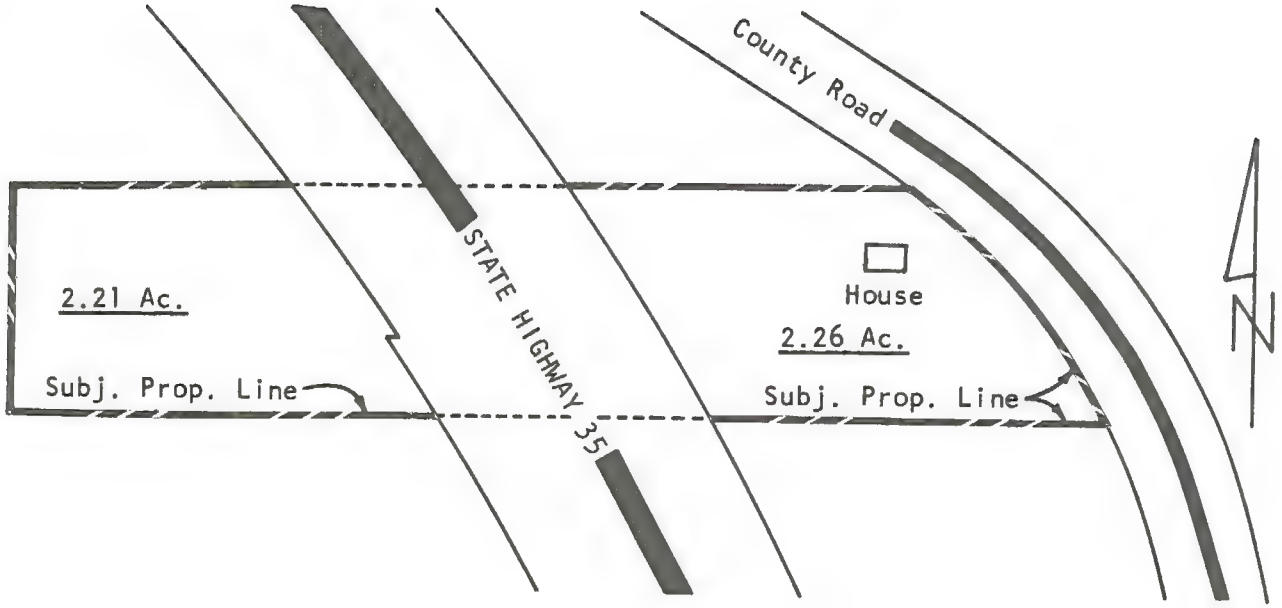
REMARKS

The estimated reduction in value of the remainder was attributed to the proximity of the dwelling to the new right of way line; the elevated position of the dwelling with respect to the highway; the loss of the sewage system; and to the change in the size and shape of the remaining land which resulted in fewer sites being available for subdivision.

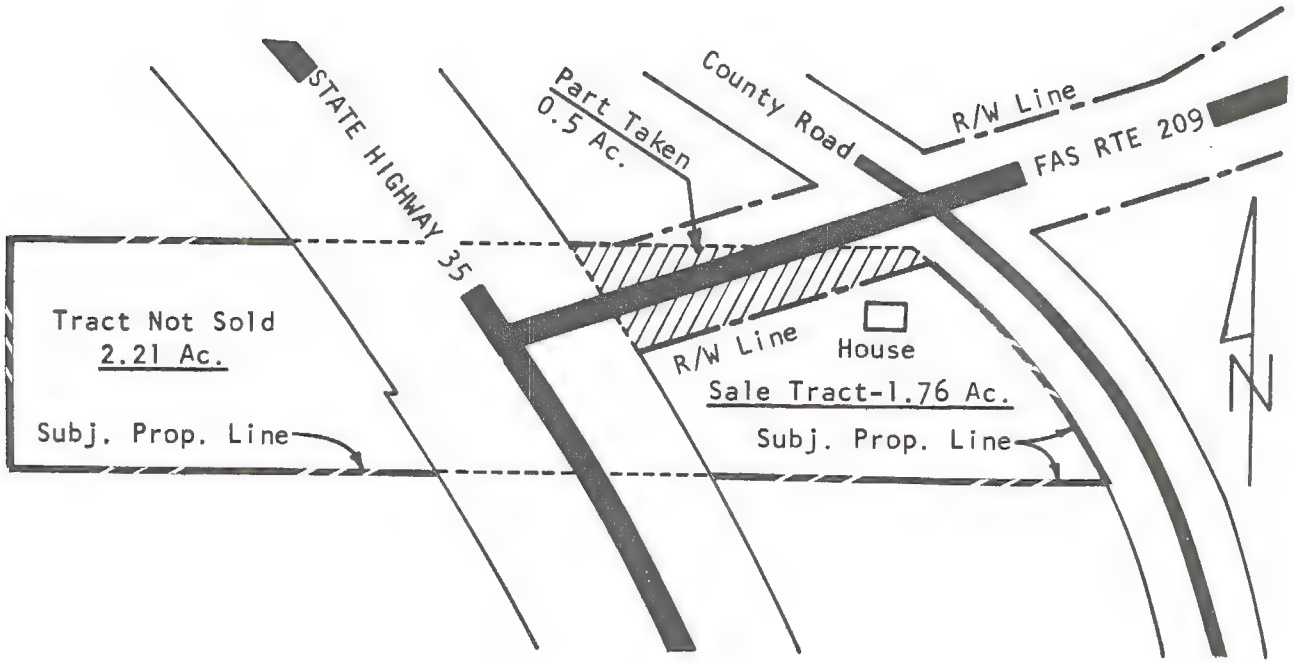
As predicted by the appraiser, the remainder experienced a sizeable reduction in value as a result of the acquisition and impending construction.

As a note of interest - the appraiser's estimate of the after value of the property was supported in large measure by a study of after sales occurring in another state.

BEFORE



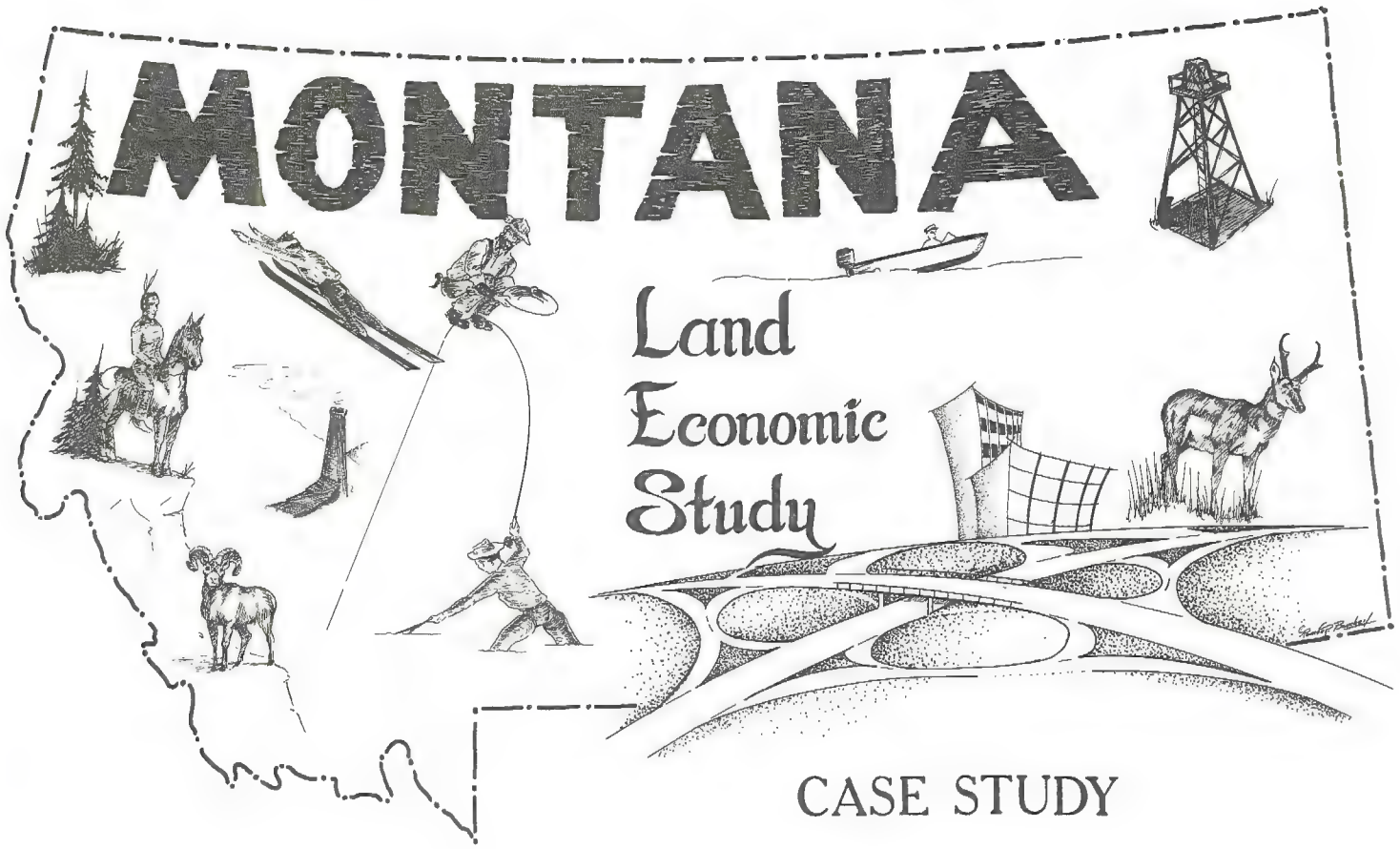
AFTER



BEFORE

Photograph Taken During Early Stage of Construction

AFTER



CASE STUDY

No. 49

SMALL FARM

SEPARATED REMAINDER

INTERSTATE ROUTE 15

NORTH OF HELENA, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

INTRODUCTION

This study is made on a severance of a small farm located in west Helena Valley due to the location and construction of Interstate Highway No. 15 North. The subject property is a small, diversified, farm, fairly typical of the irrigated farms of Helena Valley. Helena Valley is an agricultural area composed of income stock and dairy ranches, subsistence farms, and suburban homes. Subsequent to 1957 the Bureau of Reclamation (Helena Valley Irrigation District) provided irrigation water to most irrigable lands within Helena Valley. Farming and livestock operations have become intensified as result of land leveling, cropland preparation, and irrigation practices.

Most small farms in this area (160 acres or less) have limited productive capacities to be self-supporting farm or ranch units. Consequently, most farm and ranch owners work or have other business enterprises in Helena.

LOCATION

The subject property is located within seven miles of the City of Helena, Montana on former U. S. Highway 91 to Great Falls, Montana.

Helena, the capitol of Montana, is located within close proximity of the Helena Valley area. Helena had a 1960 population of 20,227.

NARRATIVE DESCRIPTION OF THE PROPERTY BEFORE THE TAKING

The subject property before the taking was a 400 acre subsistence or part-time farm located within the Helena Valley Irrigation District. Irrigable land included 180 acres and non-irrigable or pasture contained 220 acres. Prior to the taking the property was not in operation as a farm unit.

Former U. S. Highway 91 ran directly in front of the property in close proximity to the residence and farm buildings.

Building improvements included a two-story residence, a garage, barn, cattle shed, tool shed, and two miscellaneous farm buildings. The property was adequately fenced and equipped with corrals and loading pens.

The property had 3960 feet of frontage along U. S. Highway 91 and 2640 feet along the county road on the east property boundary.

The land was approximately on grade with the highway and county road and had direct physical access to both roads.

The highest and best use of the property was estimated to be for a subsistence or part-time farm.

NARRATIVE DESCRIPTION OF PORTION ACQUIRED FOR RIGHT OF WAY

In February 1962 the State instituted condemnation action to acquire land on subject property for the construction of Interstate 15 North. Total acreage acquired was 19 acres. This consisted of 12 acres of irrigated and 7 acres of non-irrigated land.

The taking ran through the property in a northerly direction leaving the farm separated into two tracts. On the west side adjacent to old U. S. Highway 91 was 188 acres of land and all of the improvements. An isolated portion of the farm consisting of 193 acres lies on the east side of the new Interstate.

The taking included all rights of direct access to the new facility with the exception of access to the frontage road.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER THE TAKING

After the taking the property contained 381 acres. This included 150 acres of irrigated and 231 acres of non-irrigated or pasture land. The severance divided the property into two tracts: 188 acres west of the Interstate and 193 acres east of the Interstate. All of the improvements remained on the west side of the highway. The farm land on the east portion is accessible from the improvements via a frontage road, the Lincoln secondary and the county road. This indirect access covers 2.2 miles of travel.

Former U. S. Highway 91 now serves as a frontage road to the west portion of subject property.

The highest and best use of the property remained as a subsistence or part-time farm.

SALE OF THE REMAINDER

On July 14, 1964, the entire remainder containing 381 acres sold for a confirmed price of $34,000.00. The deed for this transaction is recorded on page 519, in Book 239 of Deeds, Lewis and Clark County Records.

The buyer indicated that the scale was balanced between the desirability of the new highway location and the future value of the property as a small farm. He considers the new highway both desirable and undesirable. Desirable features of the Interstate claimed by the buyer include:

a) Highway provides better transportation to Helena and to his work.

b) Heavy traffic has been diverted from the front of the farm residence.

Undesirable factors mentioned by the owner include:

a) Management of the severed farm is difficult due to increased travel and movement of equipment to the crop land east of the highway.

b) Increased property boundaries were created as a result of the severance. This creates problems relative to weed control, fire protection, fencing, and easements.

c) He claimed range and livestock improvements have to be duplicated on the east side pasture and cropland, i.e. water developments, loading corrals, hay storage, and fences.

SUMMARY OF APPROVED APPRAISAL

BEFORE VALUE			
Land - 400 acres			
Irrigated, 179.8 acres @ $115.00	$20,677.00		
Non-irrigated, 220.2 acres @ $40.00	8,808.00		
Total Land		$29,485.00	
Improvements:			
Building Improvements	$12,900.00		
Site Improvements	600.00		
Total Improvements		13,500.00	
TOTAL BEFORE VALUE OF SUBJECT OWNERSHIP			$42,985.00
AFTER VALUE			
Land:			
Irrigated 149.5 acres @ $115.00	$17,192.50		
Non-irrigated 231.5 acres @ $40.00	9,260.00		
Less obligation for irrigation, 183 A.	1,202.50		
Total Land		$25,250.00	
Improvements:			
Building Improvements	$11,035.00		
Site Improvements	600.00		
Total Improvements		11,635.00	
TOTAL AFTER VALUE			36,885.00
TOTAL COMPENSATION			$ 6,100.00

	TOTAL COMPENSATION	$6,100.00

VALUE OF PART TAKEN

Land:		
Irrigated land, 12 acres @ $115.00	$1,380.00	
Non-irrigated land, 7 acres @ $40.00	280.00	
Total Land Taken		1,660.00
	REDUCTION IN VALUE OF PART NOT TAKEN	$4,440.00

Value of Property Before Taking	$42,985.00
Value of Part Taken	1,660.00
Before Value of Part Not Taken	$41,325.00

CHANGE IN VALUE OF PART NOT TAKEN

	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Not Taken	$41,325.00	$41,325.00
After Value of Part Not Taken	36,885.00	34,000.00
Change in Value of Part Not Taken	-$ 4,440.00	-$ 7,325.00
Per Cent Change in Value	-$4,440.00 / $41,325.00 -11%	-$7,325.00 / $41,325.00 -18%

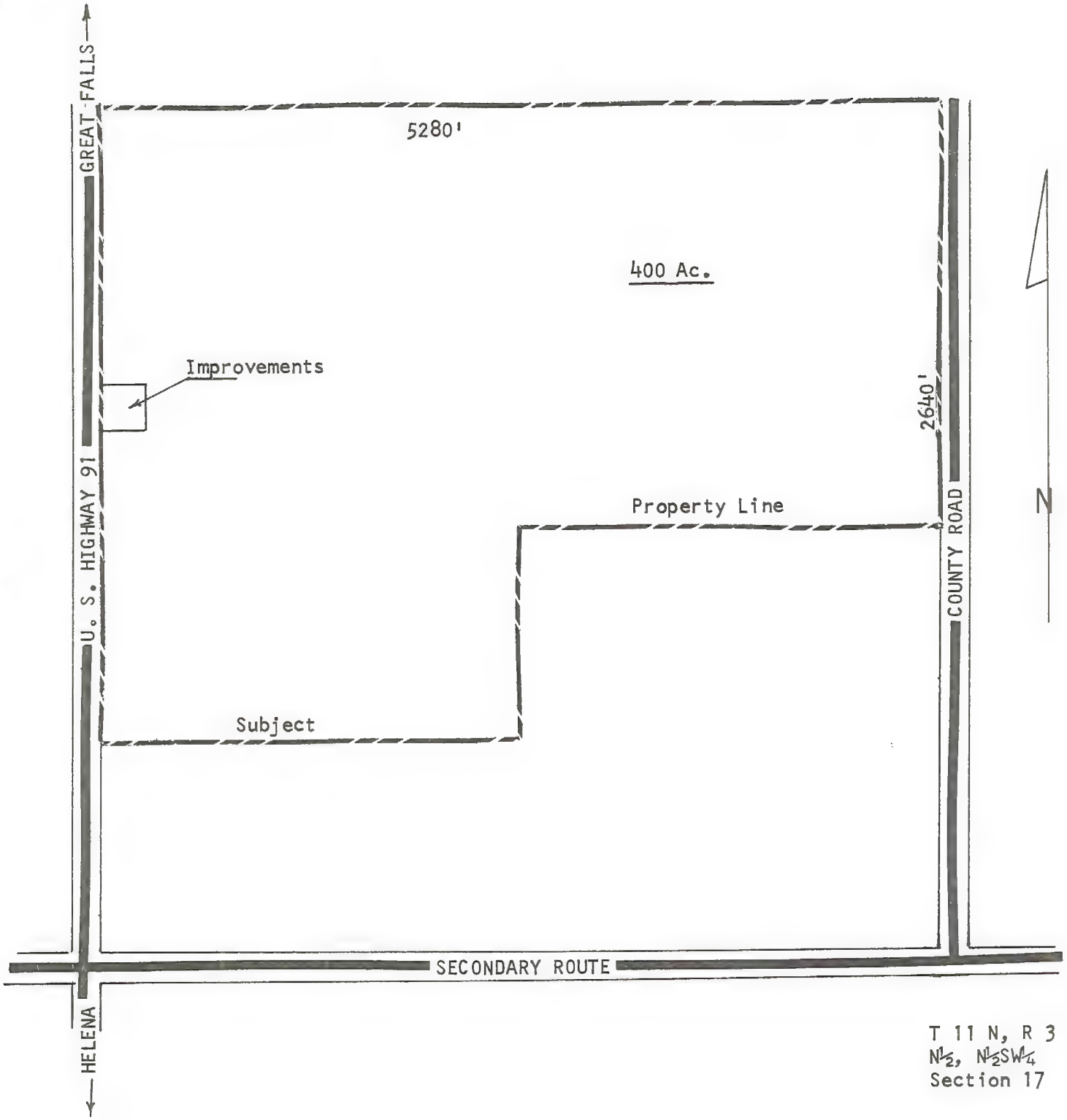
REMARKS

Subject property showed a decrease in value as evidence by the sale price. The buyer felt this price was reasonable considering the size of the property and its potential as a part-time farm. Factors attributable to the decrease in value include: the property was idle and not in production at the time of sale; it was exposed to the market in excess of three years; and the highway was under construction when the property was advertised for sale.

Market data indicates that similar properties in Helena Valley have increased in value. This is particularly evident between the time of the Interstate construction and the present.

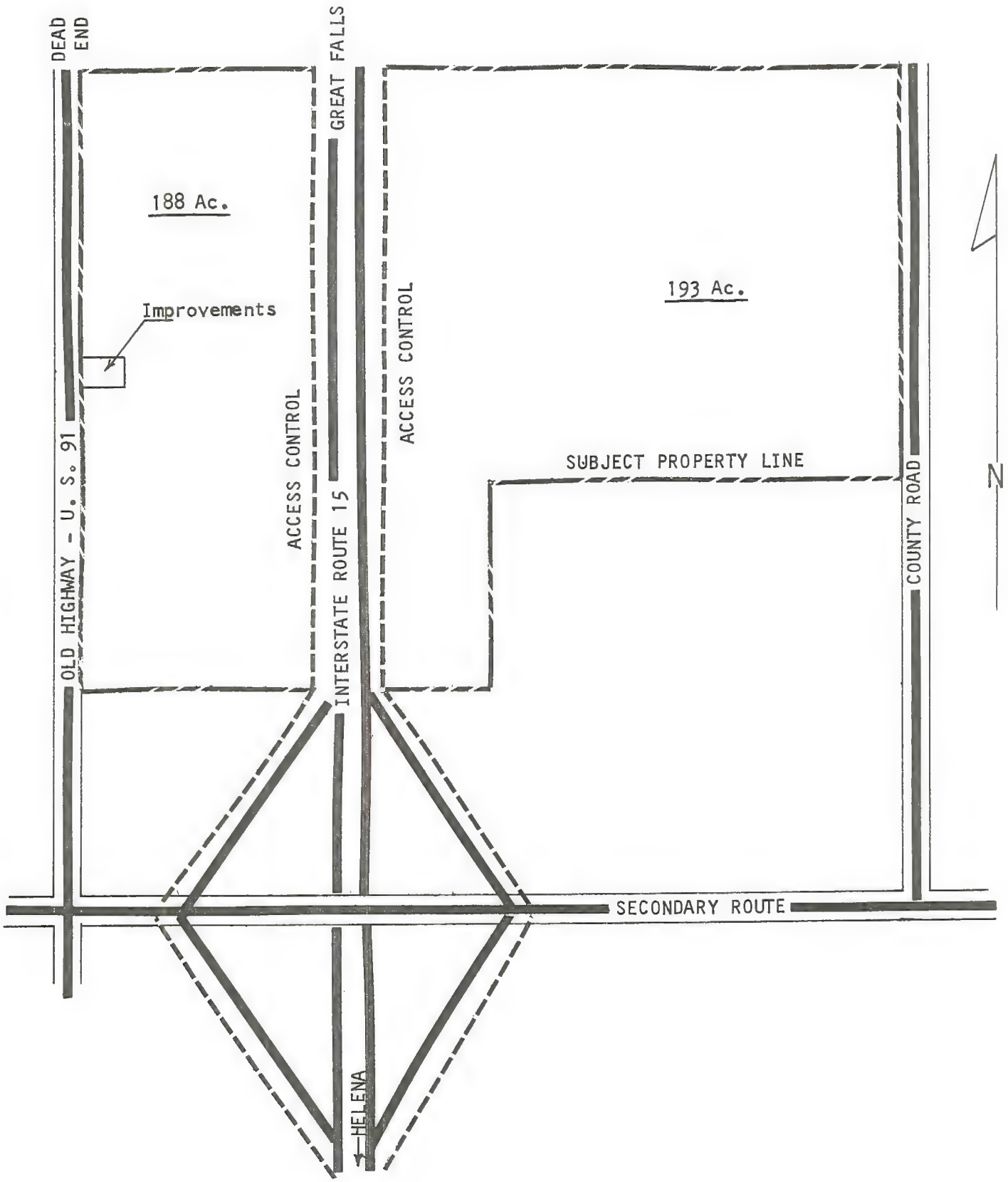
The buyer was motivated primarily by the desire to purchase a small part-time farm within close proximity to Helena. He recognized certain deficiencies in the severed property, but was satisfied with the remaining land as a farm unit, and the enjoyment of rural living. He also indicated that the property may eventually have subdivision possibilities.

BEFORE



T 11 N, R 3 W
N½, N½SW¼
Section 17

AFTER

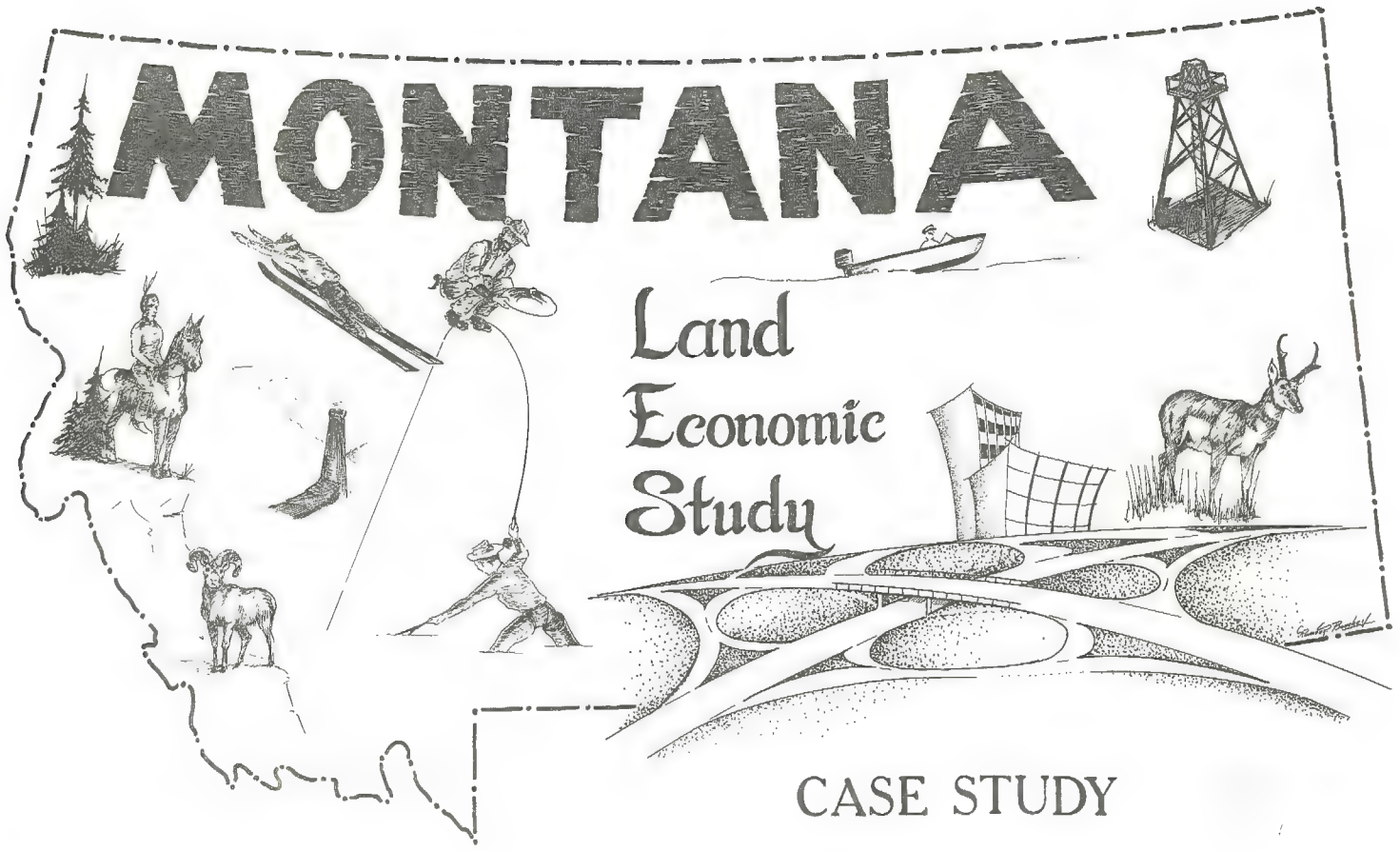

DEAD END
GREAT FALLS
188 Ac.
193 Ac.
Improvements
ACCESS CONTROL
ACCESS CONTROL
OLD HIGHWAY - U. S. 91
INTERSTATE ROUTE 15
SUBJECT PROPERTY LINE
COUNTY ROAD
N
SECONDARY ROUTE
HELENA

BEFORE

PHOTO TAKEN IN 1956

AFTER

Old Highway U.S. 91
Interstate 15
County Road
Secondary Route
N
ALE 1:12,000
- I-65
I-15 LINCOLN
INTERCHANGE TO SIGBEN
FLT-1
III-83



CASE STUDY

MONTANA HIGHWAY COMMISSION

RIGHT OF WAY DIVISION

LAND ECONOMIC CASE STUDY NO. 50

STOCK RANCH

SEPARATED REMAINDER

CASCADE COUNTY

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

INTRODUCTION

This study is made on the severance of a stock ranch located near Cascade, Montana, due to the location and construction of Interstate Highway No. 15 N. Subject property is a small income livestock unit supporting approximately 100 animal units year long.

Large income stock ranches are predominate in this area. Seasonal upland grazing and river bottom pasture and croplands sustain year long livestock operations in this area. There has been a trend towards ranch consolidation and enlargement to increase production capacities on existing livestock operations.

There has been a strong demand for residential subdivision particularly along the Missouri River frontage near subject property. Permanent and seasonal dwellings have been constructed in these subdivisions.

There has been an apparent demand for recreation in this area. The heavy impact of hunting and fishing visitors is evident from moderate to heavy volumes of business at two nearby commercial establishments (bars and cafes).

LOCATION

Subject property is located approximately 5 miles south of Cascade, Montana on former U.S. Highway 91 North to Great Falls, Montana. The property borders the Missouri River on the lower Hardy Creek drainage.

Great Falls, Montana is the principal city and shopping center near the study area. This city had a 1960 population of 55,357 and is located 32 miles north of subject property.

NARRATIVE DESCRIPTION OF THE PROPERTY BEFORE THE TAKING

Prior to the State's acquisition, the subject property was a 1502.94 acre stock ranch. This livestock unit contained an estimated 1321 acres of grazing land; 47 acres of irrigated hay land, and 113 acres of dry cultivated land, and 13.09 acres was subdivided into cabin sites on lower Hardy Creek. The remaining 8.85 acres consisted of existing highway right of way.

The ranch has traditionally been a small income stock ranch. In recent years the operator became more diversified in farming and ranching practices. A change in land use occurred when the owner sold small cabin sites along lower Hardy Creek.

The property was improved with farm and ranch buildings which were located adjacent to old U.S. Highway 91 North. The improvements included the following: an older 1½ story house, an old barn and granary, and a combination tool and utility shed. The property boundary was all fenced and maintained.

The following grazing privileges were included with the property: A BLM (Taylor Grazing) lease on a 200 acre seasonal unit on a 10 year lease, and a permit with the Great Northern Railway Company to graze on adjoining railroad land on an annual basis.

Principal access to the property was provided by U.S. Highway 91 North which traversed through the property North and South.

The highest and best use of the property was estimated to be as a stock ranch.

NARRATIVE DESCRIPTION OF PORTION ACQUIRED FOR RIGHT OF WAY

In March, 1965 the State acquired 14.40 acres from the subject property for construction of Interstate Highway No. 15 North. This included 3.30 acres of existing highway right of way.

The taking included all rights of direct access to the new highway. It ran in a northerly and southerly direction across the southern portion of the property leaving remainders on both sides.

NARRATIVE DESCRIPTION OF THE PROPERTY AFTER THE TAKING

After the taking the property contained 1488.54 acres of which 20.09 acres were located on the east side and 1468.45 acres remained on the west side of the highway. No improvements were included in the taking.

The remainder on the west side contained 26.04 acres of irrigated land, 113 acres of dry cropland, 13.09 acres of cabin sites, 1310.77 acres of grazing land, and 5.55 acres of old highway right of way. All improvements remained on the west side of the highway.

The portion of land on the east side includes 9.86 acres of formerly irrigated land which will be without irrigation water as a result of the severance.

The remainder has no direct physical access to the new Interstate Highway. Access to the remainders on each side of the highway will be provided by a frontage road leading to interchanges approximately .8 miles north and 2.5 miles south of the property.

The highest and best use of the remainder property was estimated to be as for a subsistence farm or part-time livestock operation.

SALE OF THE REMAINDER

In April, 1966 the remainder of the ranch property was sold as a stock ranch. The property had been on the market for nearly two years and was advertised at $65,000.00. The ranch property containing 1488.5 acres, was sold for $61,400.00 on an unrecorded contract for deed. Confirmation of the sale was made by the seller and buyer.

The buyer indicated satisfaction with the purchase of the remaining ranch property. He recognized the limitations of the ranch as a full-time livestock operation, or as an economic unit. He considered this an ideal part-time ranch and retirement location. He also expressed an interest in the current sub-division near this property.

SUMMARY OF APPROVED APPRAISAL

NOTE: An investigation of sales of similar properties indicates there has been no significant change in the market value of this type of property since the State's acquisition, therefore, there was no need to adjust the appraisal for changed market conditions.

BEFORE VALUE

Land - 1502.94 acres	$62,750.00	
Improvements	4,750.00	
TOTAL BEFORE VALUE		$67,500.00

AFTER VALUE

Land - 1488.54 acres	$53,950.00	
Improvements	4,750.00	
TOTAL AFTER VALUE		$58,700.00
TOTAL COMPENSATION		$ 8,800.00

VALUE OF PART TAKEN

Land - 3.30 ac. at $1.00 per acre	$ 3.00	(rounded)
11.10 ac. at $350.00 per acre	$ 3,885.00	
TOTAL		$ 3,888.00
REDUCTION IN VALUE OF PART NOT TAKEN		$ 4,912.00

Value of property before taking	$67,500.00
Value of part taken	3,888.00
Before Value of part not taken	$63,612.00

CHANGE IN VALUE OF PART NOT TAKEN

	INDICATED BY APPRAISAL	INDICATED BY SALE
Before value of part not taken	$63,612.00	$63,612.00
After value of part not taken	58,700.00	61,400.00
	- $ 4,912.00	- $ 2,212.00
Percent change in value	-$4,912/$63,612 -8%	-$2,212/$63,612 -3.5%

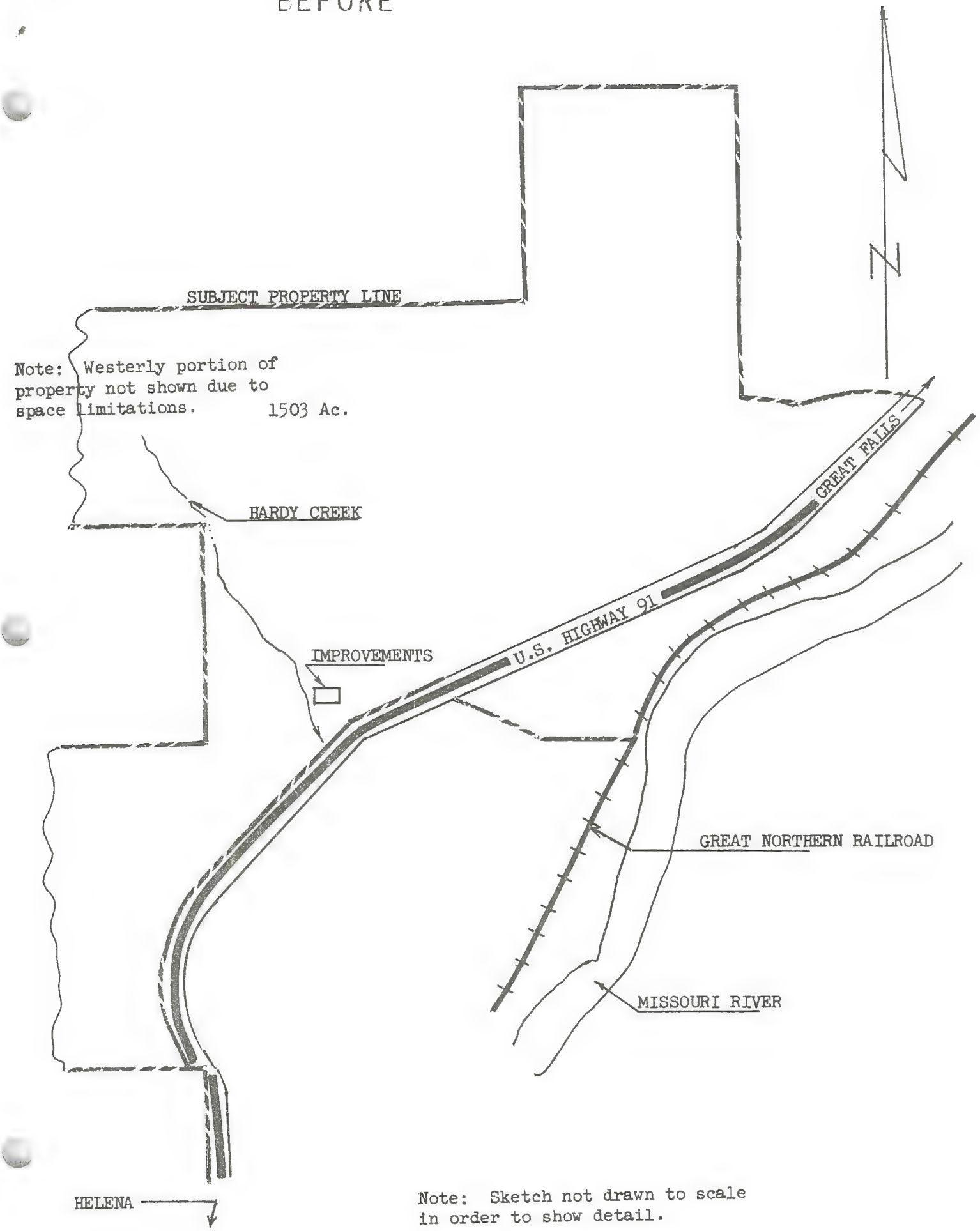
REMARKS

This property showed a decrease in value as evidence by the sale price. The buyer was content with the purchase price and was satisfied with the remainder as a part-time or subsistence ranch unit. He maintained that the potential of this ranch was never developed to its maximum capacity. He planned on making an investment in range and pasture improvements to increase the carrying capacity of the remaining ranch unit.

A parcel of former irrigated land containing 9.8 acres was left without irrigation water. Consideration of this loss of irrigation land was made when compensation was made to the seller. This former irrigated tract will be converted to dry grazing land by the buyer.

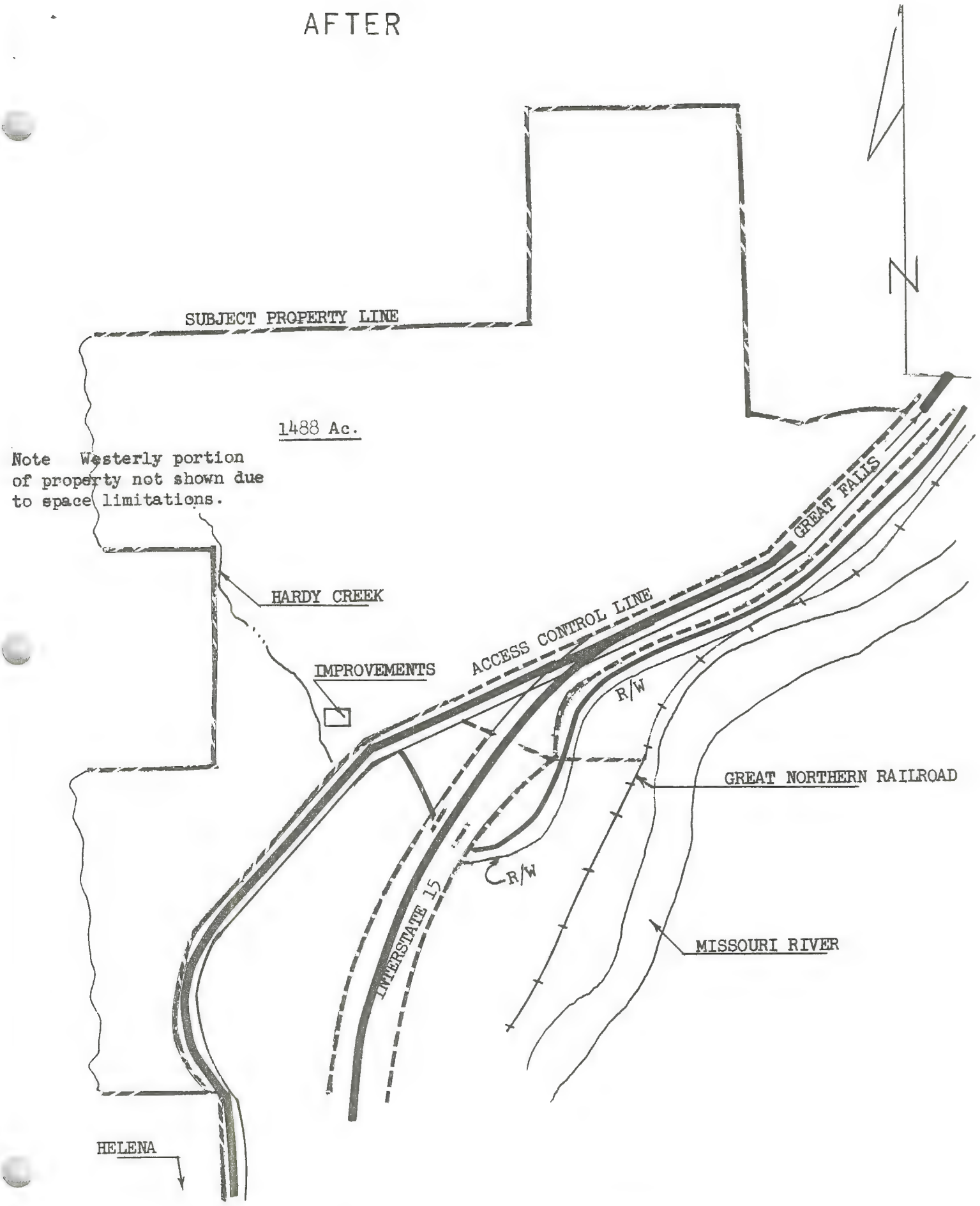
Subsequent to the sale, the buyer leased the remainder ranch property to a large livestock operation. The objective of the lease was to permit approximately 120 head of yearlings on this property for a one year basis. The indicated lease rate was $3.50 per animal unit month.

BEFORE



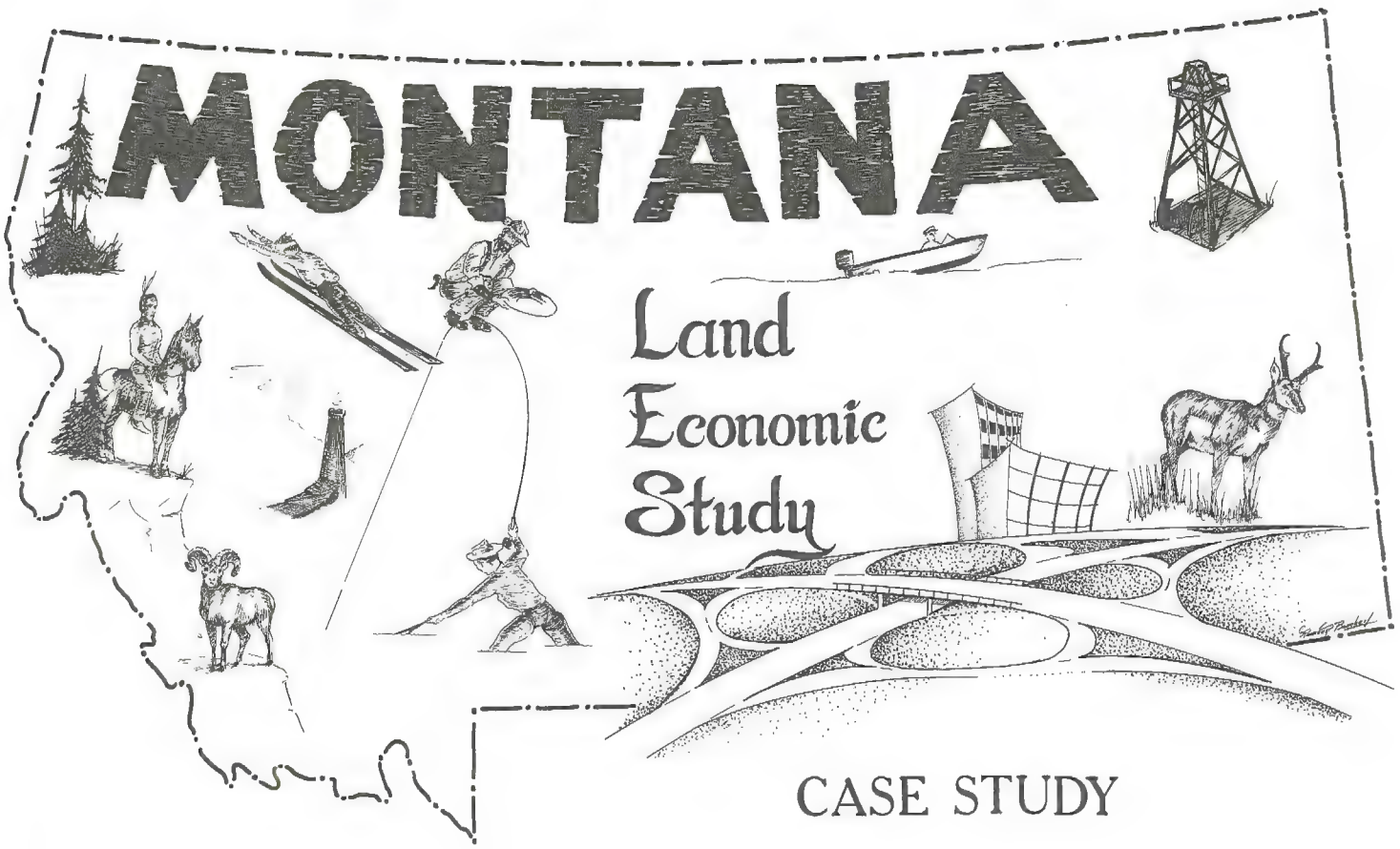
Note: Sketch not drawn to scale in order to show detail.

AFTER



Note: Sketch not drawn to scale in order to show detail.

SUBJECT PROPERTY
SUBJECT PROPERTY LINE
US HWY 19
INTERSTATE 75
GREAT NORTHERN RAILWAY
N



CASE STUDY

NO. 51

SMALL FARM

SEPARATED AND ISOLATED

REMAINDERS NEAR HUSON, MONTANA

MONTANA HIGHWAY COMMISSION
RIGHT-OF-WAY DIVISION

IN COOPERATION WITH
UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

INTRODUCTION

This study is made on the severance of a small diversified ranch west of Missoula, Montana due to the location and construction of Interstate Highway I-90 West.

Diversified agriculture and the lumbering industry constitute the principal source of income in this area. Large income stock ranches are not common in this area primarily due to the lack of adequate open range land and tillable lands.

A trend towards ranch subdivision has been apparent in this area. Recent sales data indicates a strong demand for rural homes by residents who work in Missoula and the Waldorf Company Paper Plant near Frenchtown, Montana. Since the acquisition some farms and ranches have subdivided pasture lands into rural homesites generally within close proximity to the Interstate Highway.

LOCATION

Subject property is located approximately 5 miles west of Frenchtown and about 22 miles west of Missoula, Montana. The property is located on Interstate Route 90 which was formerly U.S. Highway 10.

Missoula, the principal city and trading center, had a 1960 population of 35,493. It is a university town and has shown rapid growth due to the expansion of the wood products industry.

DESCRIPTION OF THE PROPERTY BEFORE THE TAKING

Prior to the State's acquisition subject property was a diversified ranch containing approximately 175 acres. The property was divided into northerly and southerly portions being separated by old U.S. Highway 10 and the Milwaukee Railroad. The ranch was a diversified operation and derived income from the sale of calves, eggs and poultry, dairy products and incidental farm machinery repair.

The northerly portion of the property contained all of the improvements and most of the cropland and pasture. It had approximately 2900 feet of frontage along the north side of U.S. Highway 10. Building improvements included a two-story frame house, a garage-shop building, a barn, chicken house and other incidental farm buildings. These improvements were located approximately 350 feet north of Highway 10 prior to the taking. A county road known as the Six Mile Road, traversed the property in a northwest-southeast direction joining U.S. Highway 10 east of the improvements.

The southerly portion of the property contained 49 acres of pasture and wooded grazing land which bordered the Clark Fork River and the Milwaukee Railroad. Access to this area was provided by an approach directly across from the north side improvements. This area was utilized as a seasonal pasture and sub-irrigated cropland in conjunction with the north side farm land.

The highest and best use of the property was estimated to be for a small diversified income ranch.

DESCRIPTION OF THE TAKING AND REMAINDER

In February, 1963, the State started condemnation proceedings to acquire 18.55 acres of land along the northerly side of Highway 10 for the construction of Interstate 90. No improvements were involved in the taking. The taking included all rights of direct access to the new highway and the construction obliterated most of Highway 10 within the boundaries of subject property.

Access to the northerly remainder is now provided by an approach to the county road serving the Six Mile Area. A portion of the county road was reconstructed to join the new highway approximately 2125 feet east of the subject property boundary. When the remainder of the Interstate System is completed in this area, the county road will join an interchange east of the property.

The southerly remainder will have access via a county road and former Highway 10 which was converted into a frontage road and will eventually join an interchange 2,600 feet east of the subject property.

The highest and best use of the property after the taking was estimated to be as a small diversified ranch and for rural homesite tracts.

SALE OF PORTIONS OF THE REMAINDER

Subsequent to the State's acquisition the owner sold two tracts of land from the total remainder. Tract A represents the 49 acre southern, separated portion of pasture and wooded grazing land. This tract is without direct access to the new highway facility. In April, 1966, it sold for a confirmed price of $13,000.00 on an unrecorded contract for deed. Confirmation of the sale was made by the buyer.

The buyer considered the price paid for the 49 acre southerly tract a fair market transaction. He had considered buying other properties but was content with this land because of the following:

1. The area contained a good potential for irrigated pasture for an estimated thirty head of cattle.

2. The southern boundary of this tract bordered the Clark Fork River, which permitted an unrestricted access to the shore line of the river for recreational purposes.

3. The area had a good potential for a permanent homesite or homesites because of the privacy of the area and the scenic appeal of the wooded shore line bordering the Clark Fork River.

Tract B represents that portion of the northerly remainder lying east of the Six Mile county road. It sold in May, 1966 for a confirmed price of $8,000.00. This 40 acre tract contained about 38 acres of hilly wooded pasture and 2 acres of low sub-irrigated pasture. It bordered the Six Mile county road and the frontage road to the new Interstate Highway.

The buyer expressed satisfaction with the purchase of this tract of land. The attractiveness of the 2 acre meadow for a homesite and the wooded area for pasture appealed to the buyer. He also considered the close proximity of the

Interstate Highway an asset to the value of the property.

SUMMARY OF APPROVED APPRAISAL

Since the sales involved only a portion of the entire property, a tabulation of the State's appraisal for the entire property will not be included in this report.

CHANGE IN VALUE OF PORTION SOLD

TRACT A - 49 ACRES

	INDICATED BY APPRAISAL	INDICATED BY SALE
Before Value of Part Sold *	$ 6,860.00	$ 6,860.00
After Value of Part Sold	2,980.00	13,500.00
Change in Value of Part Sold	- $ 3,880.00	+ $ 6,640.00
Percent Change in Value	$3,880/$6,860. -57%	$6,640/$6,860 +97%

TRACT B - 40 ACRES

Before Value of Part Sold *	$ 5,340.00	$ 5,340.00
After Value of Part Sold	1,462.50	8,000.00
Change in Value of Part Sold	- $ 3,877.50	+ $ 2,660.00
Percent Change in Value	$3,877.50/$5,340.00 -73%	$2,660.00/$5,340.00 +50%

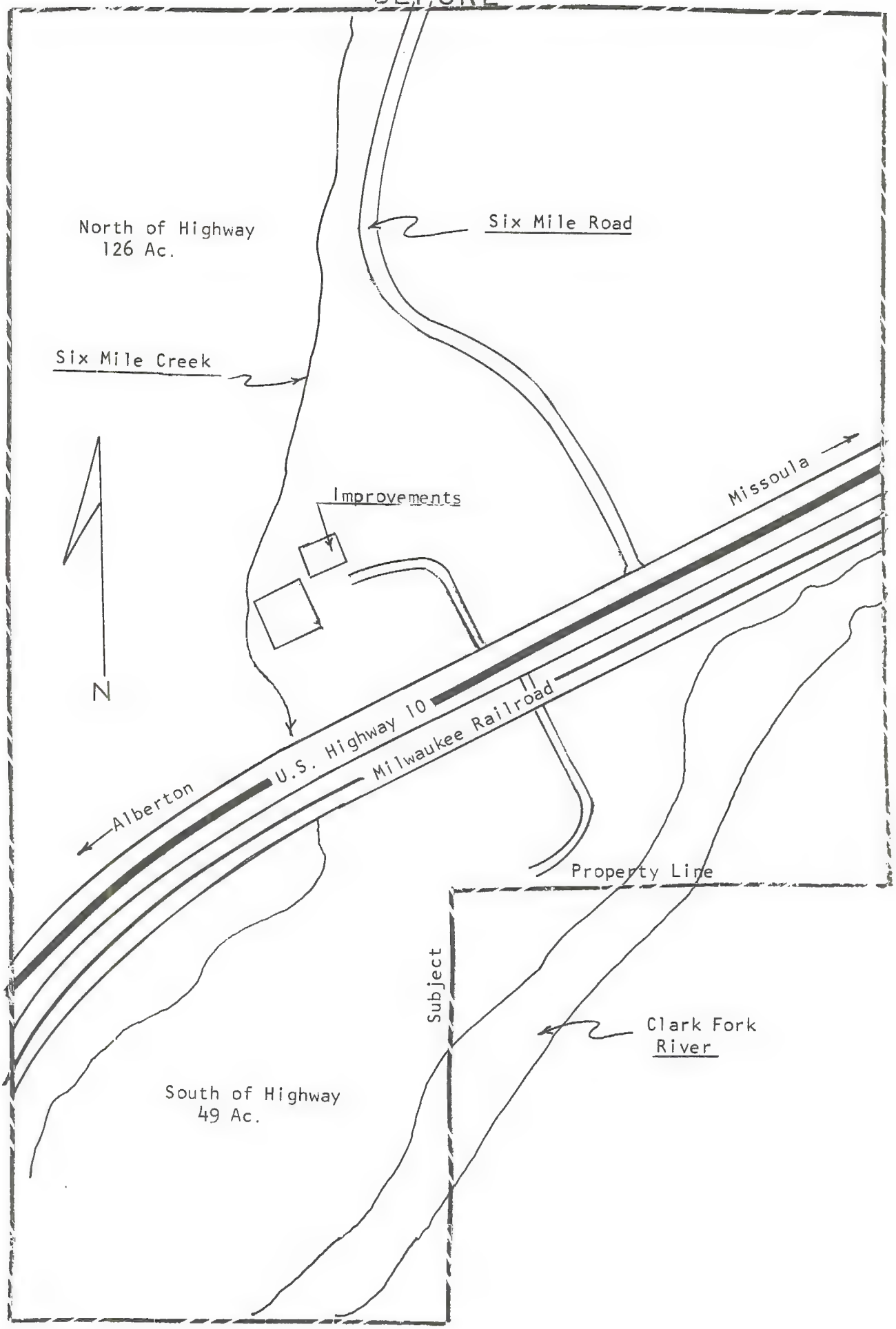
* Note: Based on the appraised value of the portion sold, as a part of the entire property.

REMARKS

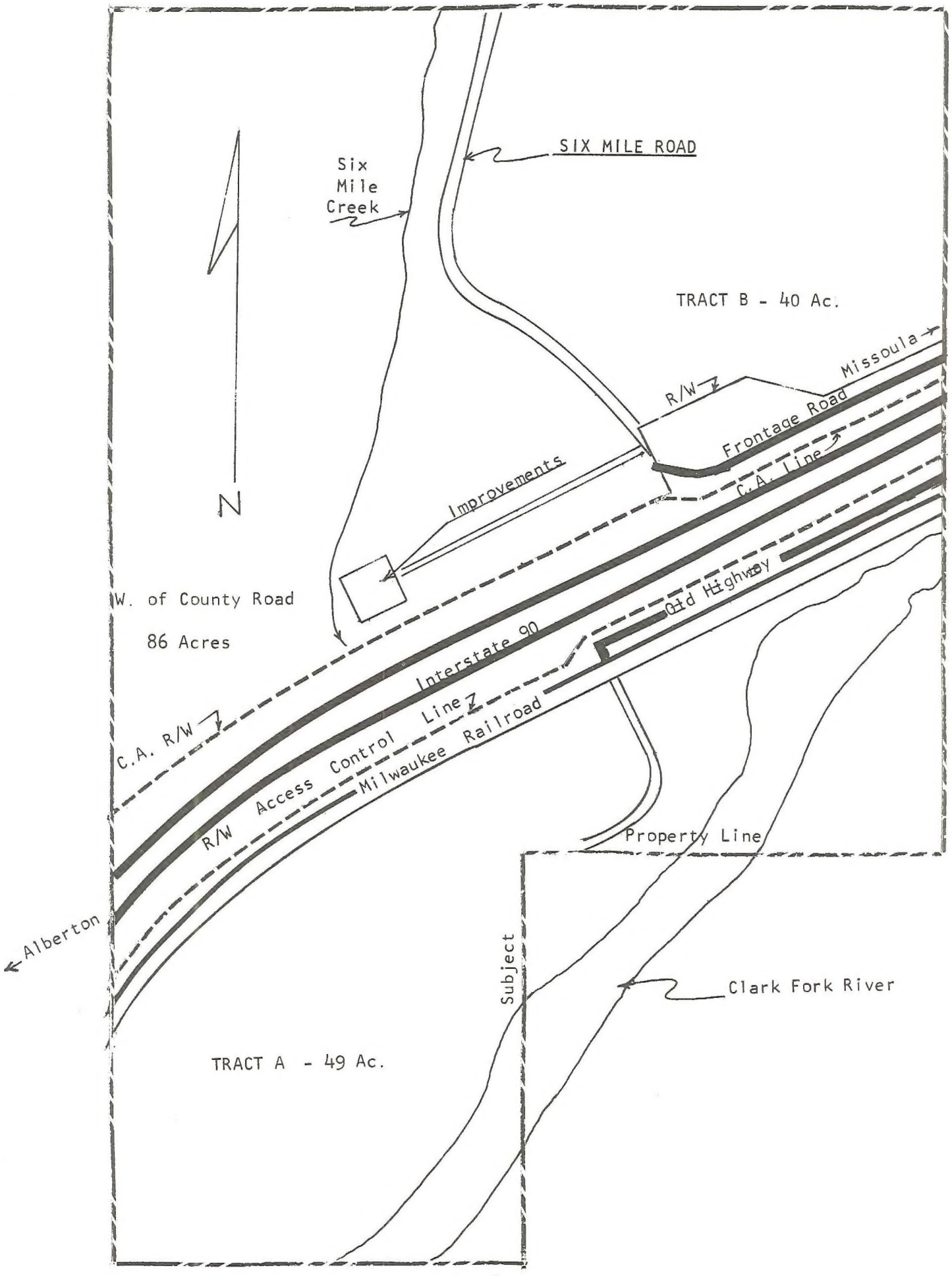
Tract A, the southerly portion of the property, showed a significant increase in value as indicated by the sale. Before the taking this tract contributed $140.00 per acre to the value of the entire property. After the taking the tract contributed $79.00 per acre as indicated by the appraisal. The buyer was impressed with the river frontage and the pasture land of this property. He also expressed an interest in the rural sub-division occuring on adjacent areas.

Tract B, the northerly portion of the property, showed an increase in value as indicated by the sale. Before the taking this tract contributed $133.00 per acre to the entire value of the property. After the taking the contribution of this property was $37.00 per acre. This tract was purchased primarily for a homesite and adjoining seasonal pasture for limited number of livestock.

BEFORE


North of Highway
126 Ac.
Six Mile Road
Six Mile Creek
N
Improvements
Missoula
U.S. Highway 10
Milwaukee Railroad
Alberton
Property Line
Subject
Clark Fork
River
South of Highway
49 Ac.

AFTER


SIX MILE ROAD
Six Mile Creek
N
TRACT B - 40 Ac.
Missoula
R/W
Frontage Road
C.A. Line
Improvements
W. of County Road
86 Acres
Old Highway
Interstate 90
C.A. R/W
R/W Access Control Line
Milwaukee Railroad
Property Line
Alberton
Subject
Clark Fork River
TRACT A - 49 Ac.

6-148
10-14-58
SIX MILE RD.
SUBJECT PROPERTY LINE
TRACT B
IMPROVEMENTS
FRONTAGE ROAD
INTERSTATE 90
MILWAUKEE RR
U.S. HWY 10
MISSOULA
TRACT A
CLARK FORK RIVER
SUBJECT PROPERTY LINE
4-7